



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-15- 22

TITLE: Approving With Conditions Applications for Public Development (Application Numbers 1991-0836.068, 1995-1213.010, 2001-0604.003, 2003-0032.002 & 2003-0403.003)

Commissioner Galletta moves and Commissioner Barc seconds the motion that:

WHEREAS, the Pinelands Commission has reviewed the Public Development Application Report and the recommendation of the Executive Director that the following applications for Public Development be approved with conditions:

1991-0836.068
Applicant: Lakehurst Solar, LLC on behalf of Joint Base McGuire Dix
 Lakehurst
Municipality: Manchester Township
Management Area: Pinelands Military/Federal Installation Area
Date of Report: August 24, 2015
Proposed Development: Development of a 56 acre solar facility;

1995-1213.010
Applicant: Stafford Township Municipal Utilities Authority
Municipality: Stafford Township
Management Area: Pinelands Regional Growth Area
Date of Report: August 19, 2015
Proposed Development: Construction of a 2,353 square foot addition to an existing water treatment building;

2001-0604.003
Applicant: Egg Harbor Township
Municipality: Egg Harbor Township
Management Area: Pinelands Regional Growth Area
Date of Report: August 19, 2015
Proposed Development: Two lot resubdivision and no further development;

2003-0032.002
Applicant: Monroe Municipal Utilities Authority
Municipality: Monroe Township
Management Area: Pinelands Regional Growth Area
Date of Report: August 21, 2015
Proposed Development: Installation of a potable water test well; and

2003-0403.003
Applicant: NJ Department of Transportation
Municipality: Barnegat Township
Management Area: Pinelands Forest Area
Date of Report: August 19, 2015
Proposed Development: Construction of two traffic deceleration lanes in the Route 72 right-of-way.

WHEREAS, no request for a hearing before the Office of Administrative Law concerning the Executive Director's recommendation has been received for any of these applications; and

WHEREAS, the Pinelands Commission hereby adopts the Conclusion of the Executive Director for each of the proposed developments; and

WHEREAS, the Pinelands Commission hereby determines that each of the proposed public developments conform to the standards for approving an application for public development set forth in N.J.A.C. 7:50-4.57 if the conditions recommended by the Executive Director are imposed; and

WHEREAS, pursuant to N.J.S.A. 13A-5h, no action authorized by the Commission shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Commission has been delivered to the Governor for review, unless prior to expiration of the review period and Governor shall approve same, in which case the action shall become effective upon such approval.

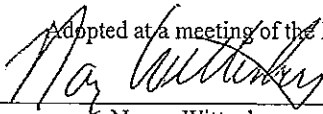
NOW, THEREFORE BE IT RESOLVED that Application Numbers 1991-0836.068, 1995-1213.010, 2001-0604.003, 2003-0032.002 & 2003-0403.003 for public development are hereby approved subject to the conditions recommended by the Executive Director.

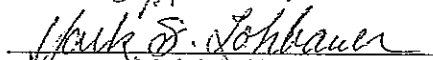
Record of Commission Votes

AYE NAY NP ABS				AYE NAY NP ABS				AYE NAY NP ABS						
Ashmun	<input checked="" type="checkbox"/>				Earlen	<input checked="" type="checkbox"/>				Prickett	<input checked="" type="checkbox"/>			
Avery	<input checked="" type="checkbox"/>				Galletta	<input checked="" type="checkbox"/>				Quinn	<input checked="" type="checkbox"/>			
Barr	<input checked="" type="checkbox"/>				Jannarone			<input checked="" type="checkbox"/>		Rohan Green	<input checked="" type="checkbox"/>			
Brown	<input checked="" type="checkbox"/>				Lloyd	<input checked="" type="checkbox"/>				Witt	<input checked="" type="checkbox"/>			
DiBello	<input checked="" type="checkbox"/>				McGlinchey	<input checked="" type="checkbox"/>				Lohbauer	<input checked="" type="checkbox"/>			

Adopted at a meeting of the Pinelands Commission

Date: September 4, 2015


 Nancy Wittenberg
 Executive Director


 Mark S. Lohbauer
 Chairman



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Chris Christie
 Governor

Kim Guadagno
 Lt. Governor

General Information: Info@njpinelands.state.nj.us
 Application Specific Information: AppInfo@njpinelands.state.nj.us

Mark S. Lohbauer
 Chairman

Nancy Wittenberg
 Executive Director

August 24, 2015

Bradford T. Nordholm
 Lakehurst Solar, LLC
 20 Park Plaza, Suite 320
 Boston, MA 02116

Re: Application # 1991-0836.068
 Block 70, Lot 18
 Manchester Township

Dear Mr. Nordholm:

The Commission staff has completed its review of this application for development of a 56 acre solar facility at Joint Base McGuire-Dix-Lakehurst (JBMDL). Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its September 11, 2015 meeting.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. If no appeal is received, the Pinelands Commission may either approve the recommendation of the Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.

Prior to any development, the applicant shall obtain any other necessary permits and approvals.

Sincerely,

Charles M. Horner, P.P.
 Director of Regulatory Programs

Enc: Appeal Procedure

- c: Secretary, Manchester Township Planning Board (via email)
- Manchester Township Construction Code Official (via email)
- Manchester Township Environmental Commission (via email)
- Secretary, Ocean County Planning Board (via email)
- Michael J. Gross, Esq.
- Jamie Fordyce





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General Information: Info@njpines.state.nj.us
Application Specific Information: AppInfo@njpines.state.nj.us

Mark S. Lohbauer
Chairman

Nancy Wittenberg
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

August 24, 2015

Bradford T. Nordholm
Lakehurst Solar, LLC
20 Park Plaza, Suite 320
Boston, MA 02116

Application No.: 1991-0836.068

Location: Block 70, Lot 18
Manchester Township

This application proposes development of a 56 acre solar facility at Joint Base McGuire-Dix-Lakehurst (JBMDL) located on the above referenced 1,066 acre lot in Manchester Township. The proposed solar facility will be located on the Lakehurst Naval Air Engineering Station (NAES) portion of JBMDL.

STANDARDS

The Commission staff has reviewed the proposed development for consistency with all standards of the Pinelands Comprehensive Management Plan (CMP). The following reviews the CMP standards that are relevant to this application:

Land Use (N.J.A.C. 7:50-5.29)

The lot is located in a Pinelands Military and Federal Installation Management Area. The JBMDL Pinelands Military and Federal Installation Area overlays both the Pinelands Preservation Area and the Pinelands Protection Area.

The CMP permits any proposed use associated with the function of a Federal Installation in a Pinelands Military and Federal Installation Management Area. Where feasible, the CMP requires that development associated with a proposed use be located in a portion of the Pinelands Military and Federal Installation Management Area located within the Pinelands Protection Area. The NAES portion of JBMDL is located entirely within the Pinelands Preservation Area. The electricity generated from the proposed solar facility will feed directly into an existing electrical substation located on the NAES portion of the base. All of the electric power generated by the proposed solar facility will serve the NAES. It is not feasible to locate the proposed use in the portion of the Pinelands Military and Federal Installation Management Area located within the Pinelands Protection Area.

The CMP also provides that the proposed use shall not require any development, including public service infrastructure, in the Preservation Area District or in a Forest Area. The proposed solar facility will not require any development in the Preservation Area District or in a Forest Area.

Vegetation Management Standards (N.J.A.C. 7:50-6.23 & 6.26)

The proposed development will be located partially within a forested area (37 acres) and partially in an existing grassed area (19 acres). The proposed soil disturbance is limited to that which is necessary to accommodate the proposed development.

The Landscaping and Revegetation guidelines of the CMP recommend the use of grasses that are tolerant of droughty, nutrient poor conditions. To stabilize the disturbed areas, the applicant proposes to utilize a seed mixture which meets that recommendation.

Threatened and Endangered Species Standards (N.J.A.C. 7:50-6.27 & 6.33)

The Commission has records of several threatened and endangered animal species located on the NAES portion of the JBMDL. The animal species of concern are Northern pine snake, Pine Barrens treefrog, Upland sandpiper and Grasshopper sparrow. The area subject of the proposed development contains suitable habitat for Northern pine snake and Grasshopper sparrow.

The applicant performed a survey for the presence of Northern pine snake nests in the area subject of the proposed development. That nest survey was negative. Based upon the negative results of the nest survey and review of past survey information regarding the location of known Northern pine snake dens, nests, hibernacula, foraging and activity area on the NAES, the area subject of the proposed development does not constitute critical habitat for the survival of a local population of Northern pine snake.

The results of prior grassland bird surveys completed at the NAES were submitted to the Commission. Those surveys indicate that an average of six to eight Grasshopper sparrows utilize approximately 16 acres of grassland that are subject of the proposed development. The applicant indicated that the NAES contains 1,513 acres of grassland habitat. The loss of 16 acres of grassland represents a loss of 0.01% of the total grassland at NAES. The loss of 0.01% of grassland will not result in an irreversible adverse impact to habitat critical to the survival of the local population of Grasshopper sparrow.

The applicant also performed a threatened and endangered plant survey within the area proposed for development. Approximately 1,400 Sickle-leaved golden aster plants, a Pinelands threatened species, were identified during the survey. A majority of the plants were identified in four distinct clusters. The proposed development will result in the loss of approximately 33 plants, which represents 0.2% of the population. The loss of 33 Sickle-leaved golden aster plants will not result in an irreversible adverse impact to the local population of Sickle-leaved golden aster. To avoid irreversible adverse impacts to the local population of the concerned plant, the applicant proposes the installation of fencing surrounding the four distinct clusters of Sickle-leaved golden aster prior to and during construction. The applicant also proposes to maintain the current mowing schedule of one mowing per year during the winter months, to ensure the sustainability of the current population of Sickle-leaved golden aster.

Stormwater Management Standards (N.J.A.C. 7:50-6.84(a)6)

The applicant has demonstrated that the proposed development is consistent with the CMP stormwater

management standards. To meet these standards, the application proposes to utilize an existing topographic depression on the lot to manage stormwater runoff. The concerned area has sufficient capacity to accommodate stormwater runoff from the proposed development.

PUBLIC COMMENT

The applicant has provided the required public notice. Newspaper public notice was completed on May 16, 2015. The application was designated as complete on the Commission's website on August 4, 2015. The Commission's public comment period closed on August 14, 2015. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the following plans:
 - "Proposed Solar Development Plan", consisting of one sheet, prepared by ACT Engineers, Inc., dated June 12, 2015 and revised to August 24, 2015.
 - "Soil Erosion and Sediment Control Plan", consisting of two sheets, prepared by ACT Engineers, Inc., dated as follows:
 - Sheet 1 - dated January 30, 2015 and revised to August 24, 2015; and
 - Sheet 2 - dated January 30, 2015 and revised to July 24, 2015.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.
5. On April 2, 2015, Northern long-eared bat was listed as a threatened species under the Endangered Species Act by the United States Fish and Wildlife Service (USFWS). Prior to any proposed tree clearing, it is recommended that the applicant consult with the USFWS regarding Northern long-eared bat. The Northern long-eared bat is not designated as a threatened or endangered species by the CMP (N.J.A.C. 7:50-6.33).
6. Construction fencing or comparable fencing alternative shall be installed around the 45-plant, 12-plant, 1000-plant and 300-plant clusters of Sickle-leaved golden aster prior to construction and maintained in place during construction.
7. Mowing in the grassland area in and around the proposed solar facility, including the four delineated Sickle-leaved golden aster clusters, shall occur once per year and during the winter months.

CONCLUSION

As the proposed development conforms to the standards set forth in N.J.A.C. 7:50-4.57, it is recommended that the Pinelands Commission **APPROVE** the proposed development subject to the above conditions.



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Mark S. Lohbauer
Chairman

Nancy Wittenberg
Executive Director

PINELANDS COMMISSION
APPEAL PROCEDURE

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made the by Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission within eighteen days of the date of the Executive Director's determination and must include the following information:

1. the name and address of the person requesting the appeal;
2. the application number;
3. the date on which the determination to be appealed was made;
4. a brief statement of the basis for the appeal; and
5. a certificate of service (a notarized statement) indicating that service of the notice has been made, by certified mail, on the clerk of the county, municipal planning board and environmental commission with jurisdiction over the property which is subject of this decision.

Within 15 days following receipt of a notice of valid appeal, the Executive Director shall initiate the procedures for assignment of an Administrative Law Judge to preside at the hearing pursuant to the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the procedures established by the Office of Administrative Law. The time, date and location of such hearing shall be designated by the Office of Administrative Law.



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Mark S. Lohbauer
Chairman

Nancy Wittenberg
Executive Director

August 19, 2015

James Moran, Administrator
Stafford Township Municipal Utilities Authority
260 East Bay Avenue
Manahawkin, NJ 08050

Re: Application # 1995-1213.010
Block 44.59, Lot 18.01
Stafford Township

Dear Mr. Moran:

The Commission staff has completed its review of this application for construction of a 2,353 square foot addition to an existing water treatment building and placement of a backwash tank. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its September 11, 2015 meeting.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. If no appeal is received, the Pinelands Commission may either approve the recommendation of the Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.

Prior to any development, the applicant shall obtain any other necessary permits and approvals.

Sincerely,

Charles M. Horner, P.P.
Director of Regulatory Programs

Enc: Appeal Procedure

c: Secretary, Stafford Township Planning Board (via email)
Stafford Township Construction Code Official (via email)
Stafford Township Environmental Commission (via email)
Secretary, Ocean County Planning Board (via email)
Felipe Contreras





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Mark S. Lohbauer
Chairman

Nancy Wittenberg
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

August 19, 2015

James Moran, Administrator
Stafford Township Municipal Utilities Authority
260 East Bay Avenue
Manahawkin, NJ 08050

Application No.: 1995-1213.010

Location: Block 44.59, Lot 18.01
Stafford Township

This application proposes construction of a 2,353 square foot addition to an existing water treatment building and placement of a backwash tank on the above referenced 6.84 acre lot in Stafford Township. There are three potable water production wells located on the lot.

STANDARDS

The Commission staff has reviewed the proposed development for consistency with all standards of the Pinelands Comprehensive Management Plan (CMP). The following reviews the CMP standards that are relevant to this application:

Land Use (N.J.A.C. 7:50-5.28)

The project is located in a Pinelands Regional Growth Area. The proposed development is a permitted land use in a Pinelands Regional Growth Area.

Wetlands Standards (N.J.A.C. 7:50-6.14)

There are wetlands located within 300 feet of the above referenced lot. It has been demonstrated that a 175 foot buffer to wetlands will not result in an irreversible significant adverse impact on the wetlands. The proposed development will be located at least 175 feet from the wetlands.

Vegetation Management Standards (N.J.A.C. 7:50-6.23 & 6.26)

The proposed development will be located primarily within existing developed and maintained areas and partially in a forested area. The proposed development will disturb approximately 0.03 acres of forest. The proposed clearing and soil disturbance is limited to that which is necessary to accommodate the proposed development.

The Landscaping and Revegetation guidelines of the CMP recommend the use of grasses that are tolerant of droughty, nutrient poor conditions. To stabilize disturbed areas, the applicant proposes to utilize a seed mixture which meets that recommendation.

Stormwater Management Standards (N.J.A.C.7:50-6.84(a)6)

The applicant has demonstrated that the proposed development is consistent with the CMP stormwater management standards. To meet the stormwater management standards, the applicant will be enlarging an existing stormwater infiltration basin and constructing a stormwater swale.

PUBLIC COMMENT

The applicant has provided the requisite public notices. Newspaper notice was completed on December 13, 2014. Notice to required land owners within 200 feet of the above referenced lot was completed on December 15, 2014. The application was designated as complete on the Commission's website on July 21, 2015. The Commission's public comment period closed on August 14, 2015. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of 16 sheets, prepared by Remington, Vernick & Vena Engineers, all sheets dated October 2014 and revised to June 25, 2015.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.
5. All development, including clearing and land disturbance, shall be located at least 175 feet from wetlands.

CONCLUSION

As the proposed development conforms to the standards set forth in N.J.A.C. 7:50-4.57, it is recommended that the Pinelands Commission **APPROVE** the proposed development subject to the above conditions.



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Mark S. Lohbauer
Chairman

Nancy Wittenberg
Executive Director

PINELANDS COMMISSION
APPEAL PROCEDURE

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made the by Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission within eighteen days of the date of the Executive Director's determination and must include the following information:

1. the name and address of the person requesting the appeal;
2. the application number;
3. the date on which the determination to be appealed was made;
4. a brief statement of the basis for the appeal; and
5. a certificate of service (a notarized statement) indicating that service of the notice has been made, by certified mail, on the clerk of the county, municipal planning board and environmental commission with jurisdiction over the property which is subject of this decision.

Within 15 days following receipt of a notice of valid appeal, the Executive Director shall initiate the procedures for assignment of an Administrative Law Judge to preside at the hearing pursuant to the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the procedures established by the Office of Administrative Law. The time, date and location of such hearing shall be designated by the Office of Administrative Law.



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Mark S. Lohbauer
 Chairman

Nancy Wittenberg
 Executive Director

August 19, 2015

Peter Miller, Administrator
 Egg Harbor Township
 3515 Bargaintown Road
 Egg Harbor, NJ 08234

Re: Application # 2001-0604.003
 Block 3801, Lots 30.06 & 30.13
 Egg Harbor Township

Dear Mr. Miller:

The Commission staff has completed its review of this application for a two lot resubdivision and no further development. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its September 11, 2015 meeting.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. If no appeal is received, the Pinelands Commission may either approve the recommendation of the Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.

Prior to any development, the applicant shall obtain any other necessary permits and approvals.

Sincerely,

Charles M. Horner, P.P.
 Director of Regulatory Programs

Enc: Appeal Procedure

- c: Secretary, Egg Harbor Township Planning Board (via email)
- Egg Harbor Township Construction Code Official (via email)
- Egg Harbor Township Environmental Commission (via email)
- Atlantic County Department of Regional Planning and Development (via email)





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Mark S. Lohbauer
Chairman

Nancy Wittenberg
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

August 19, 2015

Peter Miller, Administrator
Egg Harbor Township
3515 Bargaintown Road
Egg Harbor, NJ 08234

Application No.: 2001-0604.003

Location: Block 3801, Lots 30.06 & 30.13
Egg Harbor Township

This application proposes a two lot resubdivision and no further development of the above referenced 1.1 acre parcel in Egg Harbor Township.

There is a single family dwelling located on Lot 30.13 and a stormwater infiltration basin located on Lot 30.06. This application proposes to subdivide a 2,070 square foot portion of Lot 30.06 and consolidate that area with residential Lot 30.13. There are no improvements located on the concerned 2,070 square foot portion of Lot 30.06.

STANDARDS

The Commission staff has reviewed the proposed resubdivision for consistency with all standards of the Pinelands Comprehensive Management Plan (CMP). The following reviews the CMP standards that are relevant to this application:

Land Use (N.J.A.C. 7:50-5.21)

The parcel is located in a Pinelands Regional Growth Area. The proposed resubdivision is a permitted use in the Pinelands Area.

PUBLIC COMMENT

The CMP defines the proposed resubdivision as "minor" development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission's website on July 16, 2015. The Commission's public comment period closed on August 14, 2015. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Except as modified by the below conditions, the proposed resubdivision shall adhere to the plan prepared by Mott Associates, LLC and dated April 21, 2015.
2. Prior to any development, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

As the proposed resubdivision conforms to the standards set forth in N.J.A.C. 7:50-4.57, it is recommended that the Pinelands Commission **APPROVE** the proposed resubdivision subject to the above conditions.



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1. the name and address of the person requesting the appeal;
2. the application number;
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4. a brief statement of the basis for the appeal; and
5. a certificate of service (a notarized statement) indicating that service of the notice has been made, by certified mail, on the clerk of the county, municipal planning board and environmental commission with jurisdiction over the property which is subject of this decision.

Within 15 days following receipt of a notice of valid appeal, the Executive Director shall initiate the procedures for assignment of an Administrative Law Judge to preside at the hearing pursuant to the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the procedures established by the Office of Administrative Law. The time, date and location of such hearing shall be designated by the Office of Administrative Law.



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Mark S. Lohbauer
Chairman

Nancy Wittenberg
Executive Director

August 21, 2015

Jerry Moore, Executive Director
Monroe Municipal Utilities Authority
372 South Main Street
Williamstown, NJ 08094

Re: Application # 2003-0032.002
Block 9902, Lot 12
Monroe Township

Dear Mr. Moore:

The Commission staff has completed its review of this application for installation of a potable water test well. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its September 11, 2015 meeting.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. If no appeal is received, the Pinelands Commission may either approve the recommendation of the Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.

Prior to any development, the applicant shall obtain any other necessary permits and approvals.

Sincerely,

for Charles M. Horner, P.P.
Director of Regulatory Programs

Enc: Appeal Procedure

c: Secretary, Monroe Township Planning Board (via email)
Monroe Township Construction Code Official (via email)
Monroe Township Environmental Commission (via email)
Secretary, Gloucester County Planning Board (via email)
James Spratt





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Mark S. Lohbauer
Chairman

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Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

August 21, 2015

Jerry Moore, Executive Director
Monroe Municipal Utilities Authority
372 South Main Street
Williamstown, NJ 08094

Application No.: 2003-0032.002

Location: Block 9902, Lot 12
Monroe Township

This application proposes installation of a potable water test well on the above referenced 9.69 acre lot in Monroe Township.

This application proposes the installation of a 330 foot deep six inch diameter test well into the Piney Point aquifer. The application also proposes the completion of a pump test of the proposed well for a period of 24 hours with a maximum pumping rate of 150 gallons per minute. The purpose of the test well is to determine the potential production capacity of a well at this location.

STANDARDS

The Commission staff has reviewed the proposed development for consistency with all standards of the Pinelands Comprehensive Management Plan (CMP). The following reviews the CMP standards that are relevant to this application:

Land Use (N.J.A.C. 7:50-5.28)

The lot is located in a Pinelands Regional Growth Area. The proposed test well is a permitted use in a Pinelands Regional Growth Area.

Vegetation Management Standards (N.J.A.C. 7:50-6.23 & 6.26)

The proposed development will be located within a maintained grassed area. The proposed clearing and soil disturbance is limited to that which is necessary to accommodate the proposed development.

The Landscaping and Revegetation guidelines of the CMP recommend the use of grasses that are tolerant of droughty, nutrient poor conditions. Based upon the size and location of the proposed development, this application does not propose revegetation.

PUBLIC COMMENT

The CMP defines the proposed development as "minor" development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission's website on July 7, 2015. The Commission's public comment period closed on August 14, 2015. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan prepared by Federici & Akin, P.A. and dated June 30, 2015.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.
5. Within 90 days of the completion of the pump test, the applicant shall submit the results of the pump test to the Commission.
6. The conversion of the test well into a potable water production well will require the completion of a separate application with the Commission.

CONCLUSION

As the proposed development conforms to the standards set forth in N.J.A.C. 7:50-4.57, it is recommended that the Pinelands Commission **APPROVE** the proposed development subject to the above conditions.



State of New Jersey
THE PINELANDS COMMISSION
PO Box 359
New LISBON, NJ 08064
(609) 894-7300
www.nj.gov/pinelands



Chris Christie
Governor

Kim Guadagno
Lt. Governor

General Information: Info@njpines.state.nj.us
Application Specific Information: AppInfo@njpines.state.nj.us

Mark S. Lohbauer
Chairman

Nancy Wittenberg
Executive Director

PINELANDS COMMISSION
APPEAL PROCEDURE

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made the by Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission within eighteen days of the date of the Executive Director's determination and must include the following information:

1. the name and address of the person requesting the appeal;
2. the application number;
3. the date on which the determination to be appealed was made;
4. a brief statement of the basis for the appeal; and
5. a certificate of service (a notarized statement) indicating that service of the notice has been made, by certified mail, on the clerk of the county, municipal planning board and environmental commission with jurisdiction over the property which is subject of this decision.

Within 15 days following receipt of a notice of valid appeal, the Executive Director shall initiate the procedures for assignment of an Administrative Law Judge to preside at the hearing pursuant to the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the procedures established by the Office of Administrative Law. The time, date and location of such hearing shall be designated by the Office of Administrative Law.



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Chris Christie
Governor

Kim Guadagno
Lt. Governor

General Information: Info@njpines.state.nj.us
Application Specific Information: AppInfo@njpines.state.nj.us

Mark S. Lohbauer
Chairman

Nancy Wittenberg
Executive Director

August 19, 2015

Connie House
NJ Department of Transportation
951 Parkway Avenue
Trenton, NJ 08625

Re: Application # 2003-0403.003
Route 72, Pinewood Drive & Brighton Road
Barnegat Township

Dear Ms. House:

The Commission staff has completed its review of this application for construction of two traffic deceleration lanes in the Route 72 right-of-way. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its September 11, 2015 meeting.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. If no appeal is received, the Pinelands Commission may either approve the recommendation of the Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.

Prior to any development, the applicant shall obtain any other necessary permits and approvals.

Sincerely,

Charles M. Horner, P.P.
Director of Regulatory Programs

Enc: Appeal Procedure

- c: Secretary, Barnegat Township Planning Board (via email)
- Barnegat Township Construction Code Official (via email)
- Barnegat Township Environmental Commission (via email)
- Secretary, Ocean County Planning Board (via email)





State of New Jersey
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Chris Christie
Governor

Kim Guadagno
Lt. Governor

General Information: Info@njpines.state.nj.us
Application Specific Information: AppInfo@njpines.state.nj.us

Mark S. Lohbauer
Chairman

Nancy Wittenberg
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

August 19, 2015

Connie House
NJ Department of Transportation
1035 Parkway Avenue
Trenton, NJ 08625

Application No.: 2003-0403.003

Location: Route 72, Pinewood Drive & Brighton Road
Barnegat Township

This application proposes construction of two traffic deceleration lanes in the Route 72 right-of-way in Barnegat Township.

The first deceleration lane will provide a right hand turn lane from eastbound Route 72 onto Pinewood Drive. The deceleration lane onto Pinewood Drive will require the widening of the Route 72 paved cartway by a maximum of six feet for a distance of 250 feet to provide for a twelve foot wide right hand turn lane.

The second deceleration lane will provide a right hand turn lane from eastbound Route 72 onto Brighton Road. The deceleration lane onto Brighton Road will require the widening of the Route 72 paved cartway by a maximum of ten feet for a distance of 630 feet to provide for a fifteen foot wide right hand turn lane.

The applicant has indicated that the proposed development will improve traffic safety at these intersections while permitting through travel on eastbound Route 72.

STANDARDS

The Commission staff has reviewed the proposed development for consistency with all standards of the Pinelands Comprehensive Management Plan (CMP). The following reviews the CMP standards that are relevant to this application:

Land Use (N.J.A.C. 7:50-5.23(b)12)

The project is located within a Pinelands Forest Area. Public service infrastructure, including roads, is a permitted use in a Pinelands Forest Area provided that the use is intended to primarily serve only the needs of the Pinelands. The deceleration lanes will service existing residential development which is

located entirely within the Pinelands.

Vegetation Management Standards (N.J.A.C. 7:50-6.23 & 6.26)

The proposed development will be located within maintained grassed shoulders. The proposed clearing and soil disturbance is limited to that which is necessary to accommodate the proposed development.

The Landscaping and Revegetation guidelines of the CMP recommend the use of grasses that are tolerant of droughty, nutrient poor conditions. Based upon the size and location of the proposed development, this application does not propose revegetation.

PUBLIC COMMENT

The CMP defines the proposed development as "minor" development. The CMP does not require public notice for minor public development applications. The application was designated as complete on the Commission's website on July 28, 2015. The Commission's public comment period closed on August 14, 2015. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan prepared by the New Jersey Department of Transportation and dated July 15, 2015.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

As the proposed development conforms to the standards set forth in N.J.A.C. 7:50-4.57, it is recommended that the Pinelands Commission **APPROVE** the proposed development subject to the above conditions.



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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General Information: Info@npjines.state.nj.us
Application Specific Information: AppInfo@npjines.state.nj.us



Mark S. Lohbauer
Chairman

Nancy Wittenberg
Executive Director

PINELANDS COMMISSION
APPEAL PROCEDURE

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission within eighteen days of the date of the Executive Director's determination and must include the following information:

1. the name and address of the person requesting the appeal;
2. the application number;
3. the date on which the determination to be appealed was made;
4. a brief statement of the basis for the appeal; and
5. a certificate of service (a notarized statement) indicating that service of the notice has been made, by certified mail, on the clerk of the county, municipal planning board and environmental commission with jurisdiction over the property which is subject of this decision.

Within 15 days following receipt of a notice of valid appeal, the Executive Director shall initiate the procedures for assignment of an Administrative Law Judge to preside at the hearing pursuant to the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the procedures established by the Office of Administrative Law. The time, date and location of such hearing shall be designated by the Office of Administrative Law.



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-15- 23

TITLE: Approving With Conditions an Application for Public Development (Application Number 1982-2731.010)

Commissioner Prickett moves and Commissioner Brown seconds the motion that:

WHEREAS, the Pinelands Commission has reviewed the Public Development Application Report and the recommendation of the Executive Director that the following application for Public Development be approved with conditions:

1982-2731.010

Applicant:	Ocean County
Municipality:	Manchester Township
Management Area:	Pinelands Regional Growth Area
Date of Report:	August 21, 2015
Proposed Development:	Construction of a 180 foot high local communications facility (public safety communications tower).

WHEREAS, no request for a hearing before the Office of Administrative Law concerning the Executive Director's recommendation has been received for this application; and

WHEREAS, the Pinelands Commission hereby adopts the Conclusion of the Executive Director for the proposed development; and

WHEREAS, the Pinelands Commission hereby determines that the proposed public development conforms to the standards for approving an application for public development set forth in N.J.A.C. 7:50-4.57 if the conditions recommended by the Executive Director are imposed; and

WHEREAS, pursuant to N.J.S.A. 13A-5h, no action authorized by the Commission shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Commission has been delivered to the Governor for review, unless prior to expiration of the review period and Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE BE IT RESOLVED that Application Number 1982-2731.010 for public development is hereby approved subject to the conditions recommended by the Executive Director.

Record of Commission Votes

AYE NAY NP ABS				AYE NAY NP ABS				AYE NAY NP ABS				
Ashmun	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Earlen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Prickett	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Avery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Galletta	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Quinn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Barr	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Jannarone	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Rohan Green	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Brown	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Lloyd	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Witt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DiBello	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	McGlinchey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Lohbauer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Adopted at a meeting of the Pinelands Commission
Nancy Wittenberg
Nancy Wittenberg
Executive Director

Date: September 11, 2015
Mark S. Lohbauer
Mark S. Lohbauer
Chairman



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Chris Christie
 Governor

Kim Guadagno
 Lt. Governor

General Information: Info@njpines.state.nj.us
 Application Specific Information: AppInfo@njpines.state.nj.us

Mark S. Lohbauer
 Chairman

Nancy Wittenberg
 Executive Director

August 21, 2015

Frank S. Scarantino, P.E.
 County Engineer
 Ocean County
 101 Hooper Avenue
 Toms River, NJ 08754

Re: Application # 1982-2731.010
 Block 72, Lot 7
 Manchester Township

Dear Mr. Scarantino:

The Commission staff has completed its review of this application for construction of a 180 foot high local communications facility (public safety communications tower). Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its September 11, 2015 meeting.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. If no appeal is received, the Pinelands Commission may either approve the recommendation of the Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.

Prior to any development, the applicant shall obtain any other necessary permits and approvals.

Sincerely,

for Charles M. Horner, P.P
 Director of Regulatory Programs

Enc: Appeal Procedure

- c: Secretary, Manchester Township Planning Board (via email)
- Manchester Township Construction Code Official (via email)
- Manchester Township Environmental Commission (via email)
- Secretary, Ocean County Planning Board (via email)





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General Information: Info@njpinelands.state.nj.us
 Application Specific Information: AppInfo@njpinelands.state.nj.us

Mark S. Lohbauer
 Chairman

Nancy Wittenberg
 Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

August 21, 2015

Frank S. Scarantino, P.E.
 County Engineer
 Ocean County
 101 Hooper Avenue
 Toms River, NJ 08754

Application No.: 1982-2731.010

Location: Block 72, Lot 7
 Manchester Township

This application proposes the construction of a 180 foot high local communications facility (public safety communications tower) on the above referenced 54.88 acre lot in Manchester Township. The application also proposes a 6,000 square foot equipment compound and an access driveway.

STANDARDS

The Commission staff has reviewed the proposed development for consistency with all standards of the Pinelands Comprehensive Management Plan (CMP). The following reviews the CMP standards that are relevant to this application:

Land Use (N.J.A.C. 7:50-5.28)

The lot is located in a Pinelands Regional Growth Area. Local communications facilities (public safety communication towers) are a permitted land use in a Pinelands Regional Growth Area and are not subject to the CMP's 35 foot height restriction.

Proposed tower sites in a Pinelands Regional Growth Area are not required to be included in a Commission certified comprehensive plan for the siting of local communications facilities.

Wetland Standards (N.J.A.C. 7:50-6.14)

There are wetlands located on the above referenced lot. All proposed development will maintain a 300 foot buffer to wetlands.

Vegetation Management Standards (N.J.A.C. 7:50-6.23 & 6.26)

The proposed development will be located in an existing forested area. The proposed development will disturb approximately 3.6 acres of forest. The proposed vegetation clearing and soil disturbance is limited to that which is necessary to accommodate the proposed development.

The Landscaping and Revegetation guidelines of the CMP recommend the use of grasses that are tolerant of droughty, nutrient poor conditions. To stabilize the disturbed areas, the applicant proposes to utilize a seed mixture which meets that recommendation.

Stormwater Management Standards (N.J.A.C.7:50-6.84(a)6)

The applicant has demonstrated that the proposed development is consistent with the stormwater management standards of the CMP. To meet the stormwater management standards, the applicant proposes to construct two stormwater infiltration basins.

PUBLIC COMMENT

The applicant has provided the requisite public notices. Notice to required land owners within 200 feet of the above referenced lot was completed on March 27, 2015. Newspaper public notice was completed on March 28, 2015. The application was designated as complete on the Commission's website on July 31, 2015. The Commission's public comment period closed on August 14, 2015. No public comment was submitted to the commission regarding this application.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of eight sheets, prepared by Frank S. Scarantino, Ocean County Engineer and dated as follows:
 - Sheet 1 - undated
 - Sheets 2, 3 & 6 - dated October 2014; revised to June 2015
 - Sheets 4, 7 & 8 - dated October 2014
 - Sheet 5 - dated October 2014; revised to March 2015
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.
5. All development, including clearing and land disturbance, shall be located at least 300 feet from wetlands.

CONCLUSION

As the proposed development conforms to the standards set forth in N.J.A.C. 7:50-4.57, it is recommended that the Pinelands Commission **APPROVE** the proposed development subject to the above conditions.



Chris Christie
Governor

Kim Guadagno
Lt. Governor

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Mark S. Lohbauer
Chairman

Nancy Wittenberg
Executive Director

General Information: Info@njpines.state.nj.us
Application Specific Information: AppInfo@njpines.state.nj.us

PINELANDS COMMISSION
APPEAL PROCEDURE

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission within eighteen days of the date of the Executive Director's determination and must include the following information:

1. the name and address of the person requesting the appeal;
2. the application number;
3. the date on which the determination to be appealed was made;
4. a brief statement of the basis for the appeal; and
5. a certificate of service (a notarized statement) indicating that service of the notice has been made, by certified mail, on the clerk of the county, municipal planning board and environmental commission with jurisdiction over the property which is subject of this decision.

Within 15 days following receipt of a notice of valid appeal, the Executive Director shall initiate the procedures for assignment of an Administrative Law Judge to preside at the hearing pursuant to the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the procedures established by the Office of Administrative Law. The time, date and location of such hearing shall be designated by the Office of Administrative Law.



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-15- 24

TITLE: Approving With Conditions an Application for Public Development (Application Number 1982-2906.009)

Commissioner Barr moves and Commissioner Rohan Green seconds the motion that:

WHEREAS; the Pinelands Commission has reviewed the Public Development Application Report and the recommendation of the Executive Director that the following application for Public Development be approved with conditions:

1982-2906.009

Applicant: South Jersey Gas

Municipality: Town of Hammonton

Management Area: Pinelands Town

Date of Report: August 19, 2015

Proposed Development: Demolition of two buildings, 50 years old or older.

WHEREAS, no request for a hearing before the Office of Administrative Law concerning the Executive Director's recommendation has been received for this application; and

WHEREAS, the Pinelands Commission hereby adopts the Conclusion of the Executive Director for the proposed development; and

WHEREAS, the Pinelands Commission hereby determines that the proposed public development conforms to the standards for approving an application for public development set forth in N.J.A.C. 7:50-4.57 if the conditions recommended by the Executive Director are imposed; and

WHEREAS, pursuant to N.J.S.A. 13A-5h, no action authorized by the Commission shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Commission has been delivered to the Governor for review, unless prior to expiration of the review period and Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE BE IT RESOLVED that Application Number 1982-2906.009 for public development is hereby approved subject to the conditions recommended by the Executive Director.

Record of Commission Votes

AYE NAY NP ABS				AYE NAY NP ABS				AYE NAY NP ABS			
Ashmun	X			Earlen	X			Prickett	X		
Avery	X			Galletta		X		Quinn	X		
Barr	X			Jannarone		X		Rohan Green	X		
Brown	X			Lloyd	X			Witt	X		
DiBello	X			McGlinchey	X			Lohbauer	X		

Adopted at a meeting of the Pinelands Commission

Date: September 11, 2015

Nancy Wittenberg
Nancy Wittenberg
Executive Director

Mark S. Lohbauer
Mark S. Lohbauer
Chairman



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Chris Christie
Governor

Kim Guadagno
Lt. Governor

General Information: Info@npjines.state.nj.us
Application Specific Information: AppInfo@npjines.state.nj.us

Mark S. Lohbauer
Chairman

Nancy Wittenberg
Executive Director

August 19, 2015

Jeffrey DuBois, President
South Jersey Gas
1 South Jersey Plaza, Route 54
Folsom, NJ 08037

Re: Application # 1982-2906.009
Block 2515, Lots 1, 3 & 5
Town of Hammonton

Dear Mr. DuBois:

The Commission staff has completed its review of this application for demolition of two structures, 50 years old or older, on the above referenced parcel. Enclosed is a copy of a Public Development Application Report. The parcel is owned by the Town of Hammonton. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its September 11, 2015 meeting.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. If no appeal is received, the Pinelands Commission may either approve the recommendation of the Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.

Prior to any development, the applicant shall obtain any other necessary permits and approvals.

Sincerely,

Charles M. Horner, P.P.
Director of Regulatory Programs

Enc: Appeal Procedure

c: Secretary, Town of Hammonton Planning Board (via email)
Town of Hammonton Construction Code Official (via email)
Town of Hammonton Environmental Commission (via email)
Atlantic County Department of Regional Planning and Development (via email)
Richard Beck (via email)





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Chris Christie
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Kim Guadagno
 Lt. Governor

General Information: Info@njpines.state.nj.us
 Application Specific Information: AppInfo@njpines.state.nj.us

Mark S. Lohbauer
 Chairman

Nancy Wittenberg
 Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

August 19, 2015

Jeffrey DuBois, President
 South Jersey Gas
 1 South Jersey Plaza, Route 54
 Folsom, NJ 08037

Application No.: 1982-2906.009

Location: Block 2515, Lots 1, 3 & 5
 Town of Hammonton

This application proposes demolition of two structures, 50 years old or older on the above referenced 1.05 acre parcel in the Town of Hammonton. Demolition of the structures is proposed to facilitate soil and groundwater site remediation activities associated with a manufactured gas plant formerly located on the parcel. The parcel is owned by the Town of Hammonton.

STANDARDS

The Commission staff has reviewed the proposed demolition for consistency with all standards of the Pinelands Comprehensive Management Plan (CMP). The following reviews the CMP standards that are relevant to this application:

Land Use (N.J.A.C. 7:50-5.21)

The parcel is located in the Pinelands Town of Hammonton. The demolition of the concerned structures is a permitted land use in the Pinelands Area.

Cultural Resource Standards (N.J.A.C. 7:50-6.151)

Based on review of information available to the Commission staff, it was determined that a cultural resource survey was not required for the proposed demolition.

PUBLIC COMMENT

The applicant has provided the required public notices. Newspaper public notice was completed on July 9, 2015. Notice to required land owners within 200 feet of the above referenced parcel was completed on July 16, 2015. The application was designated as complete on the Commission's website on August 4, 2015. The Commission's public comment period closed on August 14, 2015. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
2. This application is for the proposed demolition only. Any other future development of the above referenced parcel shall be governed by the Town of Hammonton's certified land use ordinance and the CMP.
3. Prior to any demolition, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

As the proposed demolition conforms to the standards set forth in N.J.A.C. 7:50-4.57, it is recommended that the Pinelands Commission **APPROVE** the proposed demolition subject to the above conditions.



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Chris Christie
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Mark S. Lohbauer
Chairman

Nancy Wittenberg
Executive Director

PINELANDS COMMISSION
APPEAL PROCEDURE

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission within eighteen days of the date of the Executive Director's determination and must include the following information:

1. the name and address of the person requesting the appeal;
2. the application number;
3. the date on which the determination to be appealed was made;
4. a brief statement of the basis for the appeal; and
5. a certificate of service (a notarized statement) indicating that service of the notice has been made, by certified mail, on the clerk of the county, municipal planning board and environmental commission with jurisdiction over the property which is subject of this decision.

Within 15 days following receipt of a notice of valid appeal, the Executive Director shall initiate the procedures for assignment of an Administrative Law Judge to preside at the hearing pursuant to the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the procedures established by the Office of Administrative Law. The time, date and location of such hearing shall be designated by the Office of Administrative Law.



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-15- 25

TITLE: Approving With Conditions an Application for Public Development (Application Number 1987-0172.003)

Commissioner Avery moves and Commissioner Lloyd seconds the motion that:

WHEREAS, the Pinelands Commission has reviewed the Public Development Application Report and the recommendation of the Executive Director that the following application for Public Development be approved with conditions:

1987-0172.003

Applicant: Manchester Township Public Schools
Municipality: Manchester Township
Management Area: Pinelands Town
Date of Report: August 19, 2015
Proposed Development: Development of a 16 stall paved parking lot.

WHEREAS, the parking lot development subject of this application occurred without application to, and approval by, the Commission and constitutes a violation of the application requirements of the Pinelands Comprehensive Management Plan; and

WHEREAS, the completion of this application is intended to address this violation; and

WHEREAS, no request for a hearing before the Office of Administrative Law concerning the Executive Director's recommendation has been received for this application; and

WHEREAS, the Pinelands Commission hereby adopts the Conclusion of the Executive Director for the proposed development; and

WHEREAS, the Pinelands Commission hereby determines that the proposed public development conforms to the standards for approving an application for public development set forth in N.J.A.C. 7:50-4.57 if the conditions recommended by the Executive Director are imposed; and

WHEREAS, pursuant to N.J.S.A. 13A-5h, no action authorized by the Commission shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Commission has been delivered to the Governor for review, unless prior to expiration of the review period and Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE BE IT RESOLVED that Application Number 1987-0172.003 for public development is hereby approved subject to the conditions recommended by the Executive Director.

Record of Commission Votes

	AYE	NAY	NP	ABS		AYE	NAY	NP	ABS		AYE	NAY	NP	ABS
Ashmun	X				Earlen	X				Prickett	X			
Avery	X				Galletta	X				Quinn	X			
Barr	X				Jannarone			X		Rohan Green	X			
Brown	X				Lloyd	X				Witt	X			
DiBello	X				McGlinchey	X				Lohbauer	X			

Adopted at a meeting of the Pinelands Commission

Date: September 16, 2015

Nancy Wittenberg
Nancy Wittenberg
Executive Director

Mark S. Lohbauer
Mark S. Lohbauer
Chairman



State of New Jersey
 THE PINELANDS COMMISSION
 PO Box 359
 NEW LISBON, NJ 08064
 (609) 894-7300
 www.nj.gov/pinelands



Chris Christie
 Governor

Kim Guadagno
 Lt. Governor

General Information: Info@njpines.state.nj.us
 Application Specific Information: AppInfo@njpines.state.nj.us

Mark S. Lohbauer
 Chairman

Nancy Wittenberg
 Executive Director

August 19, 2015

David Galvao, Buildings and Grounds Supervisor
 Manchester Township Public Schools
 P.O. Box 4100
 Whiting, NJ 08759-4100

Re: Application # 1987-0172.003
 Block 85, Lot 1.01
 Manchester Township

Dear Mr. Galvao:

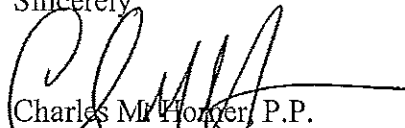
The Commission staff has completed its review of this application for development of a 16 stall paved parking lot. Enclosed is a copy of a Public Development Application Report. On behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its September 11, 2015 meeting.

The parking lot was developed prior to completion of an application with the Commission. This constitutes a violation of the application requirements of the Pinelands Comprehensive Management Plan. Completion of this application is intended to address that violation.

Any interested party may appeal this recommendation in accordance with the appeal procedure attached to this document. If no appeal is received, the Pinelands Commission may either approve the recommendation of the Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.

Prior to any development, the applicant shall obtain any other necessary permits and approvals.

Sincerely,


 Charles M. Hanger, P.P.
 Director of Regulatory Programs

- Enc: Appeal Procedure
- c: Secretary, Manchester Township Planning Board (via email)
- Manchester Township Construction Code Official (via email)
- Manchester Township Environmental Commission (via email)
- Secretary, Ocean County Planning Board (via email)
- Walter Hopkin, P.E.





State of New Jersey
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Chris Christie
Governor

Kim Guadagno
Lt. Governor

General Information: Info@njpines.state.nj.us
Application Specific Information: AppInfo@njpines.state.nj.us

Mark S. Lohbauer
Chairman

Nancy Wittenberg
Executive Director

PUBLIC DEVELOPMENT APPLICATION REPORT

August 18, 2015

David Galvao, Buildings and Grounds Supervisor
Manchester Township Public Schools
P.O. Box 4100
Whiting, NJ 08759-4100

Application No.: 1987-0172.003

Location: Block 85, Lot 1.01
Manchester Township

This application proposes development of a 16 stall paved parking lot at the Whiting Elementary School located on the above referenced 14.5 acre lot in Manchester Township.

The parking lot was developed prior to completion of an application with the Commission. This constitutes a violation of the application requirements of the Pinelands Comprehensive Management Plan (CMP). Completion of this application is intended to address that violation.

STANDARDS

The Commission staff has reviewed the proposed development for consistency with all standards of the CMP. The following reviews the CMP standards that are relevant to this application:

Land Use (N.J.A.C. 7:50-5.27)

The lot is located in a Pinelands Town Management Area. The proposed development is a permitted use in a Pinelands Town Management Area.

Vegetation Management Standards (N.J.A.C. 7:50-6.23 & 6.26)

The proposed parking lot will be located over an area previously utilized as a playground. The proposed clearing and soil disturbance is limited to that which is necessary to accommodate the proposed development.

The Landscaping and Revegetation guidelines of the CMP recommend the use of grasses that are tolerant of droughty, nutrient poor conditions. The applicant proposes to use grass species that meet this recommendation.

Stormwater Management Standards (N.J.A.C.7:50-6.84(a)6)

The applicant has demonstrated that the proposed development is consistent with the stormwater management standards of the CMP. To meet the stormwater management standards, this application proposes to construct an underground stormwater infiltration facility.

The application also proposes to construct a second underground stormwater management facility to infiltrate stormwater runoff from the roof tops of two existing school buildings

PUBLIC COMMENT

The applicant has provided the requisite public notices. Notice to required land owners within 200 feet of the above referenced lot was completed on February 20, 2015. Newspaper public notice was completed on February 20, 2015. The application was designated as complete on the Commission's website on July 20, 2015. The Commission's public comment period closed on August 14, 2015. No public comment was submitted to the Commission regarding this application.

CONDITIONS

1. Except as modified by the below conditions, the proposed development shall adhere to the plan, consisting of seven sheets, prepared by WJH Engineering, all sheets dated February 11, 2015 and revised to June 29, 2015.
2. Disposal of any construction debris or excess fill may only occur at an appropriately licensed facility.
3. Any proposed revegetation shall adhere to the "Vegetation" standards of the CMP. Where appropriate, the applicant is encouraged to utilize the following Pinelands native grasses for revegetation: Switch grass, Little bluestem and Broom-sedge.
4. Prior to any development, the applicant shall obtain any other necessary permits and approvals.

CONCLUSION

As the proposed development conforms to the standards set forth in N.J.A.C. 7:50-4.57, it is recommended that the Pinelands Commission **APPROVE** the proposed development subject to the above conditions.



State of New Jersey

THE PINELANDS COMMISSION

PO Box 359
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www.nj.gov/pinelands

Chris Christie
Governor

Kim Guadagno
Lt. Governor

General Information: Info@njpines.state.nj.us
Application Specific Information: AppInfo@njpines.state.nj.us

Mark S. Lohbauer
Chairman

Nancy Wittenberg
Executive Director

PINELANDS COMMISSION APPEAL PROCEDURE

The Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal any determination made by the Executive Director to the Commission in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of Administrative Law for a hearing. Any such appeal must be made in writing to the Commission within eighteen days of the date of the Executive Director's determination and must include the following information:

1. the name and address of the person requesting the appeal;
2. the application number;
3. the date on which the determination to be appealed was made;
4. a brief statement of the basis for the appeal; and
5. a certificate of service (a notarized statement) indicating that service of the notice has been made, by certified mail, on the clerk of the county, municipal planning board and environmental commission with jurisdiction over the property which is subject of this decision.

Within 15 days following receipt of a notice of valid appeal, the Executive Director shall initiate the procedures for assignment of an Administrative Law Judge to preside at the hearing pursuant to the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the procedures established by the Office of Administrative Law. The time, date and location of such hearing shall be designated by the Office of Administrative Law.



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-15- 26

TITLE: Approving With Conditions an Application for a Waiver of Strict Compliance (Application Number 2009-0038.001)

Commissioner Clay moves and Commissioner Barr seconds the motion that:

WHEREAS, the Pinelands Commission has reviewed each of the Findings of Fact, Conclusion and the recommendation of the Executive Director that the following application for Waiver of Strict Compliance be approved with conditions:

2009-0038.001
Applicant: Mark Gresham
Municipality: Stafford Township
Management Area: Pinelands Regional Growth Area
Date of Report: August 19, 2015
Proposed Development: Construction of a single family dwelling.

WHEREAS, no request for a hearing before the Office of Administrative Law concerning the Executive Director's recommendation has been received for this application; and

WHEREAS, the Pinelands Commission hereby adopts the Findings of Fact and Conclusion of the Executive Director for the requested Waiver of Strict Compliance; and

WHEREAS, the Pinelands Commission hereby determines that the requested Waiver conforms to the standards for approving an application for a Waiver of Strict Compliance based on extraordinary hardship as set forth in N.J.A.C. 7:50-4.62, N.J.A.C. 7:50-4.63 and N.J.A.C. 7:50-4.65 if the conditions recommended by the Executive Director are imposed; and

WHEREAS, pursuant to N.J.S.A. 13A-5h, no action authorized by the Commission shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Commission has been delivered to the Governor for review, unless prior to expiration of the review period and Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE BE IT RESOLVED that Application Number 2009-0038.001 for a Waiver of Strict Compliance is hereby approved subject to the conditions recommended by the Executive Director.

Record of Commission Votes

AYE NAY NP ABS				AYE NAY NP ABS				AYE NAY NP ABS			
Ashmun	X			Earlen	X			Prickett	X		
Avery	X			Galletta	X			Quinn	X		
Barr	X			Jannarone		X		Rohan Green	X		
Brown	X			Lloyd	X			Witt	X		
DiBello	X			McGlinchey	X			Lohbauer	X		

Adopted at a meeting of the Pinelands Commission
Nancy Wittenberg
Nancy Wittenberg
Executive Director

Date: September 4, 2015
Mark S. Lohbauer
Mark S. Lohbauer
Chairman



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 www.nj.gov/pinelands



Chris Christie
 Governor

Kim Guadagno
 Lt. Governor

General Information: Info@njpines.state.nj.us
 Application Specific Information: AppInfo@njpines.state.nj.us

Mark S. Lohbauer
 Chairman

Nancy Wittenberg
 Executive Director

REPORT ON AN APPLICATION FOR A WAIVER OF STRICT COMPLIANCE

August 19, 2015

Mark Gresham
 109 Seaspray Road
 Manahawkin, NJ 08050

Re: Application # 2009-0038.001
 Block 44.218, Lots 11.01, 12 & 13
 Stafford Township

Dear Mr. Gresham:

The Commission staff has completed its review of the above referenced application. Based upon the facts and conclusions contained in this Report, on behalf of the Commission's Executive Director, I am recommending that the Pinelands Commission approve the application with conditions at its September 11, 2015 meeting.

FINDINGS OF FACT

This application is for the development of a single family dwelling served by an onsite alternate design septic system on the above referenced 1.02 acre parcel in Stafford Township. The parcel is located in a Pinelands Regional Growth Area and in Stafford Township's R-90 Zoning District. In this zoning district, Stafford Township's certified land use ordinance establishes a minimum lot size of one acre for a single family dwelling that is served by an onsite alternate design septic system.

The parcel has been site inspected by a member of the Commission's staff. Additionally, the appropriate resource capability maps and data available to the staff have been reviewed.

A portion of the parcel is a wetland as defined in N.J.A.C. 7:50-6.5(a). The wetland continues onto adjacent lands. Any development of the parcel would be located within 300 feet of wetlands. Based on the quality and location of the wetlands, the proposed development will cause a significant adverse impact to the wetlands. As there will be a significant adverse impact on wetlands located within 300 feet of the proposed development, the applicant is requesting a Waiver of Strict Compliance (Waiver) from the buffer to wetlands requirements contained in the Pinelands Comprehensive Management Plan (CMP, N.J.A.C. 7:50-6.14.)



The CMP (N.J.A.C. 7:50-4.65(b)6.) requires that for an applicant to qualify for a Waiver to develop a single family dwelling in a Pinelands Regional Growth Area, it must be demonstrated that no development, including clearing and land disturbance, will be located on wetlands. The applicant has demonstrated that no development, including clearing and land disturbance, will be located on wetlands.

The parcel includes all contiguous land in common ownership on or after January 14, 1981. The proposed single family dwelling will be the sole principal use of the entire contiguous parcel. The development of a single family dwelling on the parcel will not require any lot area or residential density variance pursuant to Stafford Township's certified land use ordinance. A single family dwelling can be developed on the parcel without violating any of the criteria contained in N.J.A.C. 7:50-4.65(b) if the conditions recommended below are imposed.

Only if the parcel is developed in accordance with the conditions recommended below will the adverse impacts on wetlands and groundwater quality be minimized.

PUBLIC COMMENT

The applicant has provided the requisite public notice. Public notice to all property owners within 200 feet of the parcel was completed on June 10, 2015. Newspaper public notice was completed on June 12, 2015. The application was designated as complete on the Commission's website on July 22, 2015. The Commission's public comment period closed on August 14, 2015. No public comments regarding this application were submitted to the Pinelands Commission.

CONCLUSION

The CMP (N.J.A.C. 7:50-4.62) sets forth the standards which must be met before a Waiver can be approved. The CMP (N.J.A.C. 7:50-4.62(a)) requires that for a Waiver application to be approved based on extraordinary hardship, the applicant must demonstrate that the conditions of either N.J.A.C. 7:50-4.63(a) or (b) have been met.

N.J.A.C. 7:50-4.63(a) sets forth five conditions which must be met for an applicant to qualify for an extraordinary hardship pursuant to that subsection.

The first condition is that the only relief sought is from one or more of the standards contained in N.J.A.C. 7:50-6 for certain specified development. One of the specified types of development is as follows:

- v. A single family dwelling on a parcel within a Regional Growth Area, Pinelands Town or Pinelands Village which is at least 20,000 square feet, excluding road rights-of-way, in size and is not served by a centralized waste water treatment system.

This application is only for a Waiver from the buffer to wetlands standard contained in N.J.A.C. 7:50-6. The applicant is proposing to develop a single family dwelling with an alternate design septic system on a 1.02 acre (44,431 square foot) parcel. The parcel contains more than 20,000 square feet, excluding road rights-of-way, and is located in a Pinelands Regional Growth Area. As a result, the application meets the criteria set forth in N.J.A.C. 7:50-4.63(a)1v.

The second condition is that the parcel includes all contiguous land in common ownership on or after January 14, 1981, including lands which are contiguous as a result of ownership of other contiguous

lands. Since the parcel includes all such contiguous land, the application meets the criteria set forth in N.J.A.C. 7:50-4.63(a)2.

The third condition is that the proposed use will be the sole principal use on the entire contiguous parcel, except as expressly provided in N.J.A.C. 7:50-5.1(c). As the proposed single family dwelling will be the sole principal use on the parcel, the applicant meets the criteria set forth in N.J.A.C. 7:50-4.63(a)3.

The fourth condition is that all necessary municipal lot area and density variances have been obtained if the parcel is located in a municipality whose master plan and land use ordinance have been certified by the Pinelands Commission. Stafford Township's master plan and land use ordinance have been certified by the Pinelands Commission. The certified land use ordinances do not require a municipal lot area or density variance. As a result, the applicant meets the criteria set forth in N.J.A.C. 7:50-4.63(a)4.

The fifth condition is that the development of the parcel will not violate any of the criteria contained in N.J.A.C. 7:50-4.65(b). N.J.A.C. 7:50-4.65(a) precludes the granting of a Waiver which permits a parcel to be developed unless such development will be consistent with the purposes and provisions of the Pinelands Protection Act, the Federal Act and the CMP and will not result in a substantial impairment of the resources of the Pinelands Area. N.J.A.C. 7:50-4.65(b) sets forth the circumstances which do not comply with N.J.A.C. 7:50-4.65(a). With the conditions recommended below, the proposed development will not violate any of the circumstances contained in N.J.A.C. 7:50-4.65(b). As a result, the applicant meets the criteria set forth in N.J.A.C. 7:50-4.63(a)5.

Since the applicant meets all the conditions set forth in N.J.A.C. 7:50-4.63(a), the applicant has demonstrated that an extraordinary hardship exists pursuant to N.J.A.C. 7:50-4.62(a).

The CMP (N.J.A.C. 7:50-4.62(d)1.iii) requires the acquisition and redemption of 0.25 Pinelands Development Credits whenever a Waiver provides relief from one or more of the standards of N.J.A.C. 7:50-6. As the applicant is obtaining a Waiver from the buffer to wetlands requirements contained in N.J.A.C. 7:50-6.14, a condition is included to require the applicant to purchase the requisite 0.25 Pinelands Development Credits.

The CMP (N.J.A.C. 7:50-4.62(d)) requires that the Waiver only grant the minimum relief necessary to relieve the extraordinary hardship. The proposed single family dwelling, with the conditions recommended below, is the minimum relief necessary to relieve the extraordinary hardship which has been shown to exist:

1. Except as modified by the below conditions, the proposed development shall adhere to the plot plan, consisting of two sheets, prepared by Gravatt Consulting, both sheets dated August 12, 2014 and last revised January 8, 2015.
2. The septic system must be located in an area where the seasonal high water table is at least five feet below the natural ground surface.
3. The proposed dwelling must utilize an alternate design wastewater system authorized pursuant to the CMP on a 1.0 acre lot and approved for use by the Pinelands Commission and the New Jersey Department of Environmental Protection.
4. Except as provided in N.J.A.C. 7:50-5.1(c), the single family dwelling approved herein shall be the sole principal use of the parcel.

5. No development, including clearing and land disturbance, may extend beyond the "prop. wetlands buffer" as depicted on the above referenced plan.
6. Sufficient dry wells or a comparable alternative shall be installed to contain all stormwater runoff from the dwelling.
7. Prior to construction, silt fencing, hay bales or other appropriate measures shall be installed to preclude sedimentation from entering wetlands. The proposed sedimentation barrier shall be maintained in place until all development has been completed and the area has been stabilized.
8. The driveway must be constructed of crushed stone or other permeable material.
9. Prior to Commission issuance of a letter advising that any municipal or county permit or approval may take effect, a recorded copy of a deed consolidating Block 44.218, Lots 11.01, 12 and 13 into one lot must be submitted to the Pinelands Commission.
10. Prior to Commission issuance of a letter advising that any municipal or county permit or approval may take effect, the Commission must receive a letter from the Pinelands Development Credit Bank indicating that the requisite 0.25 PDCs have been acquired and submitted to the PDC Bank for redemption.
11. This Waiver shall expire September 11, 2020 unless all necessary construction permits have been issued by that date. The Waiver shall also expire if any construction permit is allowed to expire or lapse after September 11, 2020 or if any renewal or extension of any permit or approval or issuance of a new construction permit is necessary after that date.
12. Prior to Commission issuance of a letter advising that any municipal or county permit or approval may take effect, a copy of a recorded deed containing all of the above conditions shall be submitted to the Pinelands Commission. The deed shall specify that the conditions are being imposed pursuant to a Waiver of Strict Compliance referring to the application number. The deed shall also state that the conditions are enforceable by the Pinelands Commission, Stafford Township, the Ocean County Health Department and any other party of interest.

With the above conditions, the applicant qualifies for a Waiver of Strict Compliance from the requirements of N.J.A.C. 7:50-6.14.

Since the applicant meets the provisions of N.J.A.C. 7:50-4.62, N.J.A.C. 7:50-4.63(a) and N.J.A.C. 7:50-4.65 for the development of one single family dwelling on the parcel, it is recommended that the Pinelands Commission **APPROVE** the requested Waiver of Strict Compliance subject to the above conditions.

APPEAL

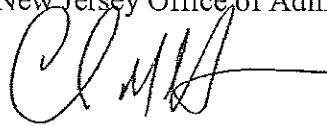
The CMP (N.J.A.C. 7:50-4.91) provides an interested party the right to appeal this recommendation in accordance with N.J.A.C. 7:50-4.91. An interested party is someone who has a specific property interest sufficient to require a hearing on constitutional or statutory grounds. Only appeal requests submitted by someone meeting the definition of an interested party will be transmitted to the New Jersey Office of

Administrative Law for a hearing. Any such appeal must be made in writing to the Commission within eighteen days of the date of this Report and must include the following information:

1. the name and address of the person requesting the appeal;
2. the application number;
3. a brief statement of the basis for the appeal; and
4. a certificate of service (a notarized statement) indicating that service of the notice has been made, by certified mail, on the clerk of the county, municipal planning board and environmental commission with jurisdiction over the property which is subject of this decision.

If no appeal is received, the Pinelands Commission may either approve the determination of the Executive Director or refer the application to the New Jersey Office of Administrative Law for a hearing.

Recommended for Approval by: _____



Charles M. Horner, P.P., Director of Regulatory Programs

- c:
- Secretary, Stafford Township Planning Board (via email)
 - Stafford Township Construction Code Official (via email)
 - Stafford Township Environmental Commission (via email)
 - Secretary, Ocean County Planning Board (via email)
 - Ocean County Health Department (via email)
 - Bruce Jacobs, P.E. (via email)



RESOLUTION OF THE NEW JERSEY PINELANDS COMMISSION

NO. PC4-15- 27

TITLE: To Authorize the Executive Director to Modify the Cooperative Agreement with the National Park Service for Pinelands Monitoring (Modification 0002 to Cooperative Agreement P13AC00554)

Commissioner Ashmun moves and Commissioner Lloyd seconds the motion that:

WHEREAS, commencing in 1994, the Commission authorized the Executive Director to enter into Cooperative Agreements, Task Agreements and Modifications to the Cooperative Agreements with the National Park Service, providing funding for Pinelands monitoring; and

WHEREAS, in June 2013, the Commission authorized the Executive Director to enter into Cooperative Agreement P13AC00554 with the National Park Service that provided \$256,500 for long-term environmental and economic monitoring; and

WHEREAS, in July 2014, the Commission authorized the Executive Director to enter into Modification # 0001 to Cooperative Agreement P13AC00554 with the National Park Service that provided \$284,100 for long-term environmental and economic monitoring; and

WHEREAS, the National Park Service has prepared the attached Modification # 0002 to Cooperative Agreement P13AC00554, obligating \$288,000 for long-term environmental and economic monitoring; and

WHEREAS, pursuant to N.J.S.A. 13:18A-5h, no action authorized by the Commission shall have force or effect until ten (10) days, Saturdays, Sundays, and public holidays excepted, after a copy of the minutes of the meeting of the Commission has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE BE IT RESOLVED that the Executive Director is authorized to enter into Modification # 0002 to Cooperative Agreement P13AC00554 with the National Park Service, consistent with the attached Modification Agreement, to continue the Long-Term Economic and Environmental Monitoring Programs.

Record of Commission Votes

AYE NAY NP ABS				AYE NAY NP ABS				AYE NAY NP ABS			
Ashmun	X			Earlen	X			Prickett	X		
Avery	X			Galletta	X			Quinn	X		
Barr	X			Jannarone			X	Rohan Green	X		
Brown	X			Lloyd	X			Witt	X		
DiBello			X	McGlinchey	X			Lohbauer	X		

Adopted at a meeting of the Pinelands Commission

Nancy Wittenberg
Nancy Wittenberg
Executive Director

Date: September 4, 2015

Mark S. Lohbauer
Mark S. Lohbauer
Chairman

Modification Number 02 to
Cooperative Agreement P13AC00554
Between
The United States Department of the Interior
National Park Service
and
New Jersey Pinelands Commission
DUNS No: 111210527
15C Springfield Road
New Lisbon, NJ 08064

CFDA: 15.944 Natural Resource Stewardship
Project Title: New Jersey Pinelands Long-term Environmental and Economic Monitoring Program
Previous Federal Funding: \$540,600
Federal Funds Obligated by this action: \$288,000
Total Amounts Federal Funds Obligated: \$828,600
Period of Performance: Time of signature --June 30, 2018

GENERAL

The purpose of this modification is to:

1. Incorporate 2 CFR, Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, in its entirety, effective December 26, 2014. Any funding increments obligated on, or after, December 26, 2014 shall be governed by 2 CFR, Part 200, the terms and conditions of the initial award, and the supplemental terms and conditions set forth in this modification. The regulations set forth in 2 CFR, Part 200, supersedes OMB Circulars A-21 (2 CFR 220), A-87 (2 CFR 225), A-110, and A-122 (2 CFR 230); Circulars A-89, A-102, and A-133; and the guidance in Circular A-50 on Single Audit Act follow-up.

Existing funding increments provided prior to December 26, 2014, shall remain governed by the existing guidance, OMB Circulars, and terms and conditions in place at the time of award.

2. Modify **ARTICLE VI – AWARD AND PAYMENT** to add FY 2015 funds in the amount of \$288,000.00.

3. Add a term and condition to your current agreement with the National Park Service (NPS) required by Executive Order (E.O.) 13658 regarding *minimum wage*. This clause requires, as a condition of payment, a minimum wage be paid to certain workers in the performance of tasks under Federal agreements. All financial assistance agreements and any related funding increments obligated on, or after, January 1, 2015 shall include the minimum wage clause which must be implemented by recipient organizations.

4. Modify ARTICLE XIV – ATTACHMENTS to add “New Jersey Pinelands Commission FY 2015-16 Work Plan and Project Budget” and SF 424s as Attachments C and D.

MODIFICATION

1. Pursuant to 2 CFR, Part 200, Articles VI – XII are hereby updated and incorporated. These articles are applicable to all Modifications or Task Agreements, and funding increments, issued on or after December 26, 2014.

ARTICLE VI – AWARD AND PAYMENT

- A. NPS will provide additional FY 2015 funding to the Recipient in an amount not to exceed 288,000.00 for the Statement of Work described in Article III and in accordance with the NPS approved budget in Attachment C. Any award beyond the current fiscal year is subject to availability of funds.

The Recipient is authorized to expend funds under this Agreement, up to \$288,000 and to incur expenses from time of signing to September 30, 2016. In accordance with 2 CFR 200.308(d)(1), prior approval is authorized for pre-award costs effective June 15, 2015.

Funds are obligated as follows:

Amount: \$288,000
Cost Center: RPPNENEJE00
Functional Area: PPMPAS1Z.YP0000

- B. Recipient shall request payment in accordance with the following:
 1. **Method of Payment.** Payment will be made by advance and/or reimbursement through the Department of Treasury’s Automated Standard Application for Payments (ASAP) system.
 2. **Requesting Advances.** Requests for advances must be submitted via the ASAP system. Requests may be submitted as frequently as required to meet the needs of the Financial Assistance (FA) Recipient to disburse funds for the Federal share of project costs. If feasible, each request should be timed so that payment is received on the same day that the funds are dispersed for direct project costs and/or the proportionate share of any allowable indirect costs. If same-day transfers are not feasible, advance payments must be as close to actual disbursements as administratively feasible.
 3. **Requesting Reimbursement.** Requests for reimbursements must be submitted via the ASAP system. Requests for reimbursement should coincide with normal billing patterns. Each request must be limited to the amount of disbursements made for the Federal share

of direct project costs and the proportionate share of allowable indirect costs incurred during that billing period.

4. **Adjusting Payment Requests for Available Cash.** Funds that are available from repayments to, and interest earned on, a revolving fund, program income, rebates, refunds, contract settlements, audit recoveries, credits, discounts, and interest earned on any of those funds must be disbursed before requesting additional cash payments.
 5. **Bank Accounts.** All payments are made through electronic funds transfer to the bank account identified in the ASAP system by the FA Recipient.
 6. **Supporting Documents and Agency Approval of Payments.** Additional supporting documentation and prior NPS approval of payments may be required when/if a FA Recipient is determined to be "high risk" or has performance issues. If prior Agency payment approval is in effect for an award, the ASAP system will notify the FA Recipient when they submit a request for payment. The Recipient must then notify the NPS AO that a payment request has been submitted. The NPS AO may request additional information from the Recipient to support the payment request prior to approving the release of funds, as deemed necessary. The FA Recipient is required to comply with these requests. Supporting documents may include invoices, copies of contracts, vendor quotes, and other expenditure explanations that justify the reimbursement requests.
- C. In order to receive a financial assistance award and to ensure proper payment, it is required that Recipient maintain their registration with the System for Award Management (SAM), accessed at <http://www.sam.gov>. Failure to maintain registration can impact obligations and payments under this Agreement and/or any other financial assistance or procurements documents the Recipient may have with the Federal government.
- D. Any award beyond the current fiscal year is subject to availability of funds; funds may be provided in subsequent fiscal years if project work is satisfactory and funding is available.
- E. **Allowable and Eligible Costs.** Expenses charged against awards under the Agreement may not be incurred prior to the beginning of the Agreement, and may be incurred only as necessary to carry out the approved objectives, scope of work and budget with prior approval from the NPS AO. The Recipient shall not incur costs or obligate funds for any purpose pertaining to the operation of the project, program, or activities beyond the expiration date stipulated in the award.
- F. **Travel Costs.** For travel costs charged against awards under the Agreement, costs incurred must be considered reasonable and otherwise allowable only to the extent such costs do not exceed charges normally allowed by the Recipient in its regular operations as the result of the Recipient's written travel policy. If the Recipient does not have written travel policies established, the Recipient and its contractors shall follow the travel policies in the Federal Travel Regulation, and may not be reimbursed for travel costs that exceed the standard rates. All charges for travel must conform to the applicable cost principles.

- G. **Indirect Costs.** Indirect costs will not be allowable charges against the award unless specifically included as a line item in the approved budget incorporated into the award.
- H. **Recipient Cost Share or Match.** Any non-Federal share, whether in cash or in-kind, is expected to be paid out at the same general rate as the Federal share. Exceptions to this requirement may be granted by the AO based on sufficient documentation demonstrating previously determined plans for or later commitment of cash or in-kind contributions. In any case, the Recipient must meet their cost share commitment over the life of the award.

ARTICLE VII – PRIOR APPROVAL

The Recipient shall obtain prior approval for budget and program revisions, in accordance with 2 CFR 200.308.

ARTICLE IX – REPORTS AND/OR DELIVERABLES

- A. Specific projects, tasks or activities for which funds are advanced will be tracked and reported by annual submission of a SF-425 Federal Financial Report (FFR) and annual submission of a Performance Report. A final SF-425 and Performance Report shall be submitted at the completion of the Agreement. The following reporting period end dates shall be used for interim reports: 3/31, 6/30, 9/30, 12/31. For final the SF-425 and Performance Report, the reporting period end date shall be the end date of the agreement. Interim reports shall be submitted no later than 30 days after the end of each reporting period. Annual and final reports shall be submitted no later than 90 days after the end period date. All reports shall be submitted via email to the NPS Awarding Officer with a copy to the NPS Agreements Technical Representative via email.
- B. The Secretary of the Interior and the Comptroller General of the United States, or their duly authorized representatives, will have access, for the purpose of financial or programmatic review and examination, to any books, documents, papers, and records that are pertinent to the Agreement at all reasonable times during the period of retention in accordance with 2 CFR 200.333.

ARTICLE X – PROPERTY UTILIZATION

All tools, equipment, and facilities furnished by NPS will be on a loan basis. Tools, equipment and facilities will be returned in the same condition received except for normal wear and tear in project use. Property management standards set forth in 2 CFR 200.310 through 200.316 apply to this Agreement.

ARTICLE XII – MODIFICATION, REMEDIES FOR NONCOMPLIANCE TERMINATION

- A. This Agreement may be modified only by a written instrument executed by the parties. Modifications will be in writing and approved by the NPS AO and the authorized representative of Recipient.
- B. Additional conditions may be imposed by NPS if it is determined that the Recipient is non-compliant to the terms and conditions of this agreement. Remedies for Noncompliance can be found in 2 CFR 200.338.
- C. This Agreement may be terminated consistent with applicable termination provisions for Agreements found in 2 CFR 200.339 through 200.342.

ARTICLE XIII – GENERAL AND SPECIAL PROVISIONS

A. General Provisions

- 1. **OMB Circulars and Other Regulations.** The following Federal regulations are incorporated by reference into this Agreement (full text can be found at <http://www.ecfr.gov>):

- a) **Administrative Requirements:**

- 2 CFR, Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards;

- b) **Determination of Allowable Costs:**

- 2 CFR, Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Subpart E;

- and

- c) **Audit Requirements:**

- 2 CFR, Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Subpart F.

- d) **Code of Federal Regulations/Regulatory Requirements:**

- 2 CFR Part 182 & 1401 “Government-wide Requirements for a Drug-Free Workplace”;

2 CFR Part 180 & 1400, "Non-Procurement Debarment and Suspension", previously located at 43 CFR Part 42, "Governmentwide Debarment and Suspension (NonProcurement)";

43 CFR 18, "New Restrictions on Lobbying";

2 CFR Part 175, "Trafficking Victims Protection Act of 2000";

FAR Clause 52.203-12, Paragraphs (a) and (b), Limitation on Payments to Influence Certain Federal Transactions;

2 CFR Part 25, System for Award Management (www.SAM.gov) and Data Universal Numbering System (DUNS); and

2 CFR Part 170, "Reporting Subawards and Executive Compensation".

2. **Non-Discrimination.** All activities pursuant to this Agreement shall be in compliance with the requirements of Executive Order 11246, as amended; Title VI of the Civil Rights Act of 1964, as amended, (78 Stat. 252; 42 U.S.C. §§2000d *et seq.*); Title V, Section 504 of the Rehabilitation Act of 1973, as amended, (87 Stat. 394; 29 U.S.C. §794); the Age Discrimination Act of 1975 (89 Stat. 728; 42 U.S.C. §§6101 *et seq.*); and with all other federal laws and regulations prohibiting discrimination on grounds of race, color, sexual orientation, national origin, disabilities, religion, age, or sex.
3. **Lobbying Prohibition.** 18 U.S.C. §1913, Lobbying with Appropriated Moneys, as amended by Public Law 107-273, Nov. 2, 2002 - No part of the money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, a jurisdiction, or an official of any government, to favor, adopt, or oppose, by vote or otherwise, any legislation, law, ratification, policy, or appropriation, whether before or after the introduction of any bill, measure, or resolution proposing such legislation, law, ratification, policy, or appropriation; but this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to any such Members or official, at his request, or to Congress or such official, through the proper official channels, requests for legislation, law, ratification, policy, or appropriations which they deem necessary for the efficient conduct of the public business, or from making any communication whose prohibition by this section might, in the opinion of the Attorney General, violate the Constitution or interfere with the conduct of foreign policy, counter-intelligence, intelligence, or national security activities. Violations of this section shall constitute violations of section 1352(a) of title 31. In addition to the above, the related restrictions on the use of appropriated funds found in Div. F, § 402 of the Omnibus Appropriations Act of 2008 (P.L. 110-161) also apply.
4. **Anti-Deficiency Act.** Pursuant to 31 U.S.C. §1341 nothing contained in this Agreement shall be construed as binding the NPS to expend in any one fiscal year any sum in excess

of appropriations made by Congress, for the purposes of this Agreement for that fiscal year, or other obligation for the further expenditure of money in excess of such appropriations.

5. **Minority Business Enterprise Development.** Pursuant to Executive Order 12432, it is national policy to award a fair share of contracts to small and minority firms. NPS is strongly committed to the objectives of this policy and encourages all recipients of its Cooperative Agreements to take affirmative steps to ensure such fairness by ensuring procurement procedures are carried out in accordance with the Executive Order.
6. **Assignment.** No part of this Agreement shall be assigned to any other party without prior written approval of the NPS and the Assignee.
7. **Member of Congress.** Pursuant to 41 U.S.C. § 22, no Member of Congress shall be admitted to any share or part of any contract or agreement made, entered into, or adopted by or on behalf of the United States, or to any benefit to arise thereupon.
8. **Agency.** The Recipient is not an agent or representative of the United States, the Department of the Interior, NPS, or the Park, nor will the Recipient represent its self as such to third parties. NPS employees are not agents of the Recipient and will not act on behalf of the Recipient.
9. **Non-Exclusive Agreement.** This Agreement in no way restricts the Recipient or NPS from entering into similar agreements, or participating in similar activities or arrangements, with other public or private agencies, organizations, or individuals.
10. **Survival.** Any and all provisions which, by themselves or their nature, are reasonably expected to be performed after the expiration or termination of this Agreement shall survive and be enforceable after the expiration or termination of this Agreement. Any and all liabilities, actual or contingent, which have arisen during the term of and in connection with this Agreement shall survive expiration or termination of this Agreement.
11. **Partial Invalidity.** If any provision of this Agreement or the application thereof to any party or circumstance shall, to any extent, be held invalid or unenforceable, the remainder of this Agreement or the application of such provision to the parties or circumstances other than those to which it is held invalid or unenforceable, shall not be affected thereby and each provision of this Agreement shall be valid and be enforced to the fullest extent permitted by law.
12. **Captions and Headings:** The captions, headings, article numbers and paragraph numbers appearing in this Agreement are inserted only as a matter of convenience and in no way shall be construed as defining or limiting the scope or intent of the provision of this Agreement nor in any way affecting this Agreement.
13. **No Employment Relationship.** This Agreement is not intended to and shall not be construed to create an employment relationship between NPS and Recipient or its

representatives. No representative of Recipient shall perform any function or make any decision properly reserved by law or policy to the Federal government.

14. **No Third-Party Rights.** This Agreement creates enforceable obligations between only NPS and Recipient. Except as expressly provided herein, it is not intended nor shall it be construed to create any right of enforcement by or any duties or obligation in favor of persons or entities not a party to this Agreement.
15. **Foreign Travel.** The Recipient shall comply with the provisions of the Fly America Act (49 USC 40118). The implementing regulations of the Fly America Act are found at 41 CFR 301-10.131 through 301-10.143.

B. Special Provisions

1. Public Information and Endorsements.

- a) Recipient shall not publicize or otherwise circulate promotional material (such as advertisements, sales brochures, press releases, speeches, still and motion pictures, articles, manuscripts or other publications) which states or implies governmental, Departmental, bureau, or government employee endorsement of a business, product, service, or position which the Recipient represents. No release of information relating to this award may state or imply that the Government approves of the Recipient's work products, or considers the Recipient's work product to be superior to other products or services.
 - b) All information submitted for publication or other public releases of information regarding this project shall carry the following disclaimer.
 - c) The views and conclusions contained in this document are those of the authors and should not be interpreted as representing the opinions or policies of the U.S. Government. Mention of trade names or commercial products does not constitute their endorsement by the U.S. Government.
 - d) Recipient must obtain prior Government approval for any public information releases concerning this award which refer to the Department of the Interior or any bureau or employee (by name or title). The specific text, layout photographs, etc. of the proposed release must be submitted with the request for approval.
 - e) Recipient further agrees to include this provision in a subaward to a subrecipient, except for a subaward to a State government, a local government, or to a federally recognized Indian tribal government.
2. **Publications of Results of Studies.** No party will unilaterally publish a joint publication without consulting the other party. This restriction does not apply to popular publications of previously published technical matter. Publications pursuant to this Agreement may be produced independently or in collaboration with others; however, in all cases proper credit will be given to the efforts of those parties contribution to the publication. In the

event no agreement is reached concerning the manner of publication or interpretation of results, either party may publish data after due notice and submission of the proposed manuscripts to the other. In such instances, the party publishing the data will give due credit to the cooperation but assume full responsibility for any statements on which there is a difference of opinion.

3. **Rights in Data.** The Recipient must grant the United States of America a royalty-free, non-exclusive and irrevocable license to publish, reproduce and use, and dispose of in any manner and for any purpose without limitation, and to authorize or ratify publication, reproduction or use by others, of all copyrightable material first produced or composed under this Agreement by the Recipient, its employees or any individual or concern specifically employed or assigned to originate and prepare such material.
4. **Retention and Access Requirements for Records.** All Recipient financial and programmatic records, supporting documents, statistical records, and other grants-related records shall be maintained and available for access in accordance 2 CFR Part 200.333-200.337
5. **Audit Requirements.**
 - a) Non-Federal entities that expend \$750,000 or more during a year in Federal awards shall have a single or program-specific audit conducted for that year in accordance with the Single Audit Act Amendments of 1996 (31 U.S.C. 7501-7507) and 2 CFR Part 200, Subpart F, which is available at <http://www.ecfr.gov/cgi-bin/text-id.x?SID=fd6463a517ceea3fa13e665e525051f4&node=sp2.1.200.f&rgn=div6>
 - b) Non-Federal entities that expend less than \$750,000 for a fiscal year in Federal awards are exempt from Federal audit requirements for that year, but records must be available for review or audit by appropriate officials of the Federal agency, pass-through entity, and General Accounting Office (GAO).
 - c) Audits shall be made by an independent auditor in accordance with generally accepted government auditing standards covering financial audits. Additional audit requirements applicable to this agreement are found at 2 CFR Part 200, Subpart F, as applicable. Additional information on single audits is available from the Federal Audit Clearinghouse at <http://harvester.census.gov/sac/>.
6. **Procurement Procedures.** It is a national policy to place a fair share of purchases with minority business firms. The Department of the Interior is strongly committed to the objectives of this policy and encourages all recipients of its grants and cooperative agreements to take affirmative steps to ensure such fairness. Positive efforts shall be made by recipients to utilize small businesses, minority-owned firms, and women's business enterprises, whenever possible. Recipients of Federal awards shall take all of the following steps to further this goal:
 - a) Ensure that small businesses, minority-owned firms, and women's business enterprises are used to the fullest extent practicable.

- b) Make information on forthcoming opportunities available and arrange time frames for purchases and contracts to encourage and facilitate participation by small businesses, minority-owned firms, and women's business enterprises.
 - c) Consider in the contract process whether firms competing for larger contracts intend to subcontract with small businesses, minority-owned firms, and women's business enterprises.
 - d) Encourage contracting with consortiums of small businesses, minority-owned firms and women's business enterprises when a contract is too large for one of these firms to handle individually.
 - e) Use the services and assistance, as appropriate, of such organizations as the Small Business Development Agency in the solicitation and utilization of small business, minority-owned firms and women's business enterprises.
7. **Prohibition on Text Messaging and Using Electronic Equipment Supplied by the Government while Driving.** Executive Order 13513, Federal Leadership On Reducing Text Messaging While Driving, was signed by President Barack Obama on October 1. This Executive Order introduces a Federal Government-wide prohibition on the use of text messaging while driving on official business or while using Government-supplied equipment. Additional guidance enforcing the ban will be issued at a later date. In the meantime, please adopt and enforce policies that immediately ban text messaging while driving company-owned or -rented vehicles, government-owned or leased vehicles, or while driving privately owned vehicles when on official government business or when performing any work for or on behalf of the government.
8. **Seat Belt Provision.** The Recipient is encouraged to adopt and enforce on-the-job seat belt use policies and programs for their employees when operating company-owned, rented, or personally owned vehicles. These measures include, but are not limited to, conducting education, awareness, and other appropriate programs for their employees about the importance of wearing seat belts and the consequences of not wearing them.
9. **Trafficking in Persons.** This term of award is pursuant to paragraph (g) of Section 106 of the Trafficking Victims Protections Act of 2000, as amended (22 USC 7104).
- a) Provisions applicable to a recipient that is a private entity.
 - 1. You as the Recipient, your employees, subrecipients under this award, and subrecipients' employees may not:
 - i. Engage in severe forms of trafficking in persons during the period of time that the award is in effect;
 - ii. Procure a commercial sex act during the period of time that the award is in effect; or

- iii. Use forced labor in the performance of the award or subawards under the award.
2. We as the Federal awarding agency may unilaterally terminate this award, without penalty, if you or a subrecipient that is a private entity-
- i. Is determined to have violated a prohibition in paragraph a.1 of this award term; or
 - ii. Has an employee who is determined by the agency official authorized to terminate the award to have violated a prohibition in paragraph a.1 of this award term through conduct that is either:
 - a. Associated with performance under this award; or
 - b. Imputed to you or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, "OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (NonProcurement)," as implemented by our agency at 2 CFR part 1400.
- b) Provision applicable to a recipient other than a private entity. We as the Federal awarding agency may unilaterally terminate this award, without penalty, if a subrecipient that is a private entity-
- 1. Is determined to have violated an applicable prohibition in paragraph a.1 of this award term; or
 - 2. Has an employee who is determined by the agency official authorized to terminate the award to have violated an applicable prohibition in paragraph a.1 of this award term through conduct that is either:
 - i. Associated with performance under this award; or
 - ii. Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, "OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (NonProcurement)," as implemented by our agency at 2 CFR part 1400.
- c) Provisions applicable to any recipient.
- 1. You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in paragraph a.1 of this award term.

2. Our right to terminate unilaterally that is described in paragraph a.2 or b of this section:
 - i. Implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 USC 7104(g)), and
 - ii. Is in addition to all other remedies for noncompliance that are available to us under this award.
 3. You must include the requirements of paragraph a.1 of this award term in any subaward you make to a private entity.
- d) Definitions. For purposes of this award term:
1. "Employee" means either:
 - i. An individual employed by you or a subrecipient who is engaged in the performance of the project or program under this awards; or
 - ii. Another person engaged in the performance of the project or program under this award and not compensated by you including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing or matching requirements.
 2. "Forced labor" means labor obtained by any of the following methods: The recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.
 3. "Private entity" means:
 - i. Any entity other than a State, local government, Indian tribe, or foreign public entity, as those terms are defined in 2 CFR 175.25; and
 - ii. Includes:
 - a. A nonprofit organization, including any nonprofit institution of higher education, hospital, or tribal organization other than one included in the definition of Indian tribe at 2 CFR 175.25(b).
 - b. A for-profit organization.
 4. "Severe forms of trafficking in persons," "commercial sex act," and "coercion" have the meanings given at section 103 of the TVPA, as amended (22 USC 7102).

10. Recipient Employee Whistleblower Rights and Requirement to Inform Employees of Whistleblower Rights.

- a) This award and employees working on this financial assistance agreement will be subject to the whistleblower rights and remedies in the pilot program on Award Recipient employee whistleblower protections established at 41 U.S.C. 4712 by section 828 of the National Defense Authorization Act for Fiscal Year 2013 (Pub. L. 112-239).
- b) The Award Recipient shall inform its employees in writing, in the predominant language of the workforce, of employee whistleblower rights and protections under 41 U.S.C. 4712.
- c) The Award Recipient shall insert the substance of this clause, including this paragraph (c), in all subawards or subcontracts over the simplified acquisition threshold, 42 CFR § 52.203-17 (as referenced in 42 CFR § 3.908-9).

11. Reporting Subawards And Executive Compensation

- a) Reporting of first-tier sub-awards.
 - 1. Applicability. Unless you are exempt as provided in paragraph D. of this award term, you must report each action that obligates \$25,000 or more in Federal funds that does not include Recovery Act funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a sub-award to an entity (see definitions in paragraph E. of this award term).
 - 2. Where and when to report.
 - i. You must report each obligating action described in paragraph a)1. of this award term to <http://www.fsrs.gov>.
 - ii. For sub-award information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)
 - 3. What to report. You must report the information about each obligating action that the submission instructions posted at <http://www.fsrs.gov> specify.
- b) Reporting Total Compensation of Recipient Executives.
 - 1. Applicability and what to report. You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if—

- i. The total Federal funding authorized to date under this award is \$25,000 or more;
 - ii. In the preceding fiscal year, you received—
 - a. 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
 - b. \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
 - iii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)
2. Where and when to report. You must report executive total compensation described in paragraph A.1. of this award term:
- i. As part of your registration profile at <https://www.sam.gov>.
 - ii. By the end of the month following the month in which this award is made, and annually thereafter.
- c) Reporting of Total Compensation of Subrecipient Executives.
1. Applicability and what to report. Unless you are exempt as provided in paragraph D. of this award term, for each first-tier subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if—
 - i. In the subrecipient's preceding fiscal year, the subrecipient received—
 - a. 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

- v. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.
2. Executive means officers, managing partners, or any other employees in management positions.
 3. Subaward:
 - i. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
 - ii. The term includes your procurement of property and services needed to carry out the project or program. The term does not include procurement of incidental property and services needed to carry out the award project or program.
 - iii. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.
 4. Subrecipient means an entity that:
 - i. Receives a subaward from you (the recipient) under this award; and
 - ii. Is accountable to you for the use of the Federal funds provided by the subaward.
 5. Total compensation means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):
 - i. Salary and bonus.
 - ii. Awards of stock, stock options, and stock appreciation rights. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.
 - iii. Earnings for services under non-equity incentive plans. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.
 - iv. Change in pension value. This is the change in present value of defined benefit and actuarial pension plans.

- v. Above-market earnings on deferred compensation which is not tax-qualified.
- vi. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.

12. **Conflict of Interest**

- a) The Recipient must establish safeguards to prohibit its employees and Sub-recipients from using their positions for purposes that constitute or present the appearance of a personal or organizational conflict of interest. The Recipient is responsible for notifying the Awarding Officer in writing of any actual or potential conflicts of interest that may arise during the life of this award. Conflicts of interest include any relationship or matter which might place the Recipient or its employees in a position of conflict, real or apparent, between their responsibilities under the agreement and any other outside interests. Conflicts of interest may also include, but are not limited to, direct or indirect financial interests, close personal relationships, positions of trust in outside organizations, consideration of future employment arrangements with a different organization, or decision-making affecting the award that would cause a reasonable person with knowledge of the relevant facts to question the impartiality of the Recipient and/or Recipient's employees and Sub-recipients in the matter.
- b) The Awarding Officer and the servicing Ethics Counselor will determine if a conflict of interest exists. If a conflict of interest exists, the Awarding Officer will determine whether a mitigation plan is feasible. Mitigation plans must be approved by the Awarding Officer in writing.
- c) Failure to resolve conflicts of interest in a manner that satisfies the government may be cause for termination of the award. Failure to make required disclosures may result in any of the remedies described in 2 CFR § 200.338, Remedies/or Noncompliance, including suspension or debarment (see also 2 CFR Part 180).

2. **ARTICLE XIII –GENERAL AND SPECIAL PROVISIONS, Section A.**

The following is added:

MINIMUM WAGES UNDER EXECUTIVE ORDER 13658 (JANUARY 2015)

(a) *Definitions.* As used in this clause—

“United States” means the 50 states and the District of Columbia.

“Worker”—

(1) Means any person engaged in performing work on, or in connection with, an agreement covered by Executive Order 13658, and

(i) Whose wages under such agreements are governed by the Fair Labor Standards Act (29 U.S.C. chapter 8), the Service Contract Labor Standards statute (41 U.S.C. chapter 67), or the Wage Rate Requirements (Construction) statute (40 U.S.C. chapter 31, subchapter IV),

(ii) Other than individuals employed in a bona fide executive, administrative, or professional capacity, as those terms are defined in 29 C.F.R. § 541,

(iii) Regardless of the contractual relationship alleged to exist between the individual and the employer.

(2) Includes workers performing on, or in connection with, the agreement whose wages are calculated pursuant to special certificates issued under 29 U.S.C. § 214(c).

(3) Also includes any person working on, or in connection with, the agreement and individually registered in a bona fide apprenticeship or training program registered with the Department of Labor's Employment and Training Administration, Office of Apprenticeship, or with a State Apprenticeship Agency recognized by the Office of Apprenticeship.

(b) *Executive Order Minimum Wage rate.*

(1) The Recipient shall pay to workers, while performing in the United States, and performing on, or in connection with, this agreement, a minimum hourly wage rate of \$10.10 per hour beginning January 1, 2015.

(2) The Recipient shall adjust the minimum wage paid, if necessary, beginning January 1, 2016 and annually thereafter, to meet the Secretary of Labor's annual E.O. minimum wage. The Administrator of the Department of Labor's Wage and Hour Division (the Administrator) will publish annual determinations in the Federal Register no later than 90 days before the effective date of the new E.O. minimum wage rate. The Administrator will also publish the applicable E.O. minimum wage on www.wdol.gov (or any successor Web site) and on all wage determinations issued under the Service Contract Labor Standards statute or the Wage Rate Requirements (Construction) statute. The applicable published E.O. minimum wage is incorporated by reference into this agreement.

(3) (i) The Recipient may request a price adjustment only after the effective date of the new annual E.O. minimum wage determination. Prices will be adjusted only if labor costs increase as a result of an increase in the annual E.O. minimum wage, and for associated labor costs and relevant subaward costs. Associated labor costs shall include increases or decreases that result from changes in social security and unemployment taxes and workers' compensation insurance, but will not otherwise include any amount for general and administrative costs, overhead, or profit.

(ii) Subrecipients may be entitled to adjustments due to the new minimum wage, pursuant to paragraph (b)(2). Recipients shall consider any Subrecipient requests for such price adjustment.

- (iii) The Awarding Officer will not adjust the agreement price under this clause for any costs other than those identified in paragraph (b)(3)(i) of this clause, and will not provide duplicate price adjustments with any price adjustment under clauses implementing the Service Contract Labor Standards statute or the Wage Rate Requirements (Construction) statute.
- (4) The Recipient warrants that the prices in this agreement do not include allowance for any contingency to cover increased costs for which adjustment is provided under this clause.
- (7) The Recipient shall pay, unconditionally to each worker, all wages due free and clear without subsequent rebate or kickback. The Recipient may make deductions that reduce a worker's wages below the E.O. minimum wage rate only if done in accordance with 29 C.F.R. § 10.23, Deductions.
- (8) The Recipient shall not discharge any part of its minimum wage obligation under this clause by furnishing fringe benefits or, with respect to workers whose wages are governed by the Service Contract Labor Standards statute, the cash equivalent thereof.
- (9) Nothing in this clause shall excuse the Recipient from compliance with any applicable Federal or State prevailing wage law or any applicable law or municipal ordinance establishing a minimum wage higher than the E.O. minimum wage. However, wage increases under such other laws or municipal ordinances are not subject to price adjustment under this subpart.
- (10) The Recipient shall pay the E.O. minimum wage rate whenever it is higher than any applicable collective bargaining agreement(s) wage rate.
- (11) The Recipient shall follow the policies and procedures in 29 C.F.R. § 10.24(b) and 10.28 for treatment of workers engaged in an occupation in which they customarily and regularly receive more than \$30 a month in tips.
- (c) (1) This clause applies to workers as defined in paragraph (a). As provided in that definition—
- (i) Workers are covered regardless of the contractual relationship alleged to exist between the Recipient or Subrecipient and the worker;
 - (ii) Workers with disabilities whose wages are calculated pursuant to special certificates issued under 29 U.S.C. § 214(c) are covered; and
 - (iii) Workers who are registered in a bona fide apprenticeship program or training program registered with the Department of Labor's Employment and Training Administration, Office of Apprenticeship, or with a State Apprenticeship Agency recognized by the Office of Apprenticeship, are covered.
- (2) This clause does not apply to—
- (i) Fair Labor Standards Act (FLSA) – covered individuals performing in connection with contracts covered by the E.O., *i.e.* those individuals who perform duties necessary to the performance of the agreement, but who are not directly engaged in performing the specific

work called for by the agreement , and who spend less than 20 percent of their hours worked in a particular workweek performing in connection with such agreements ;

(ii) Individuals exempted from the minimum wage requirements of the FLSA under 29 U.S.C. § 213(a) and 214(a) and (b), unless otherwise covered by the Service Contract Labor Standards statute, or the Wage Rate Requirements (Construction) statute. These individuals include but are not limited to—

(A) Learners, apprentices, or messengers whose wages are calculated pursuant to special certificates issued under 29 U.S.C. § 214(a).

(B) Students whose wages are calculated pursuant to special certificates issued under 29 U.S.C. § 214(b).

(C) Those employed in a bona fide executive, administrative, or professional capacity (29 U.S.C. § 213(a)(1) and 29 C.F.R. § part 541).

(d) *Notice.* The Recipient shall notify all workers performing work on, or in connection with, this agreement of the applicable E.O. minimum wage rate under this clause. With respect to workers covered by the Service Contract Labor Standards statute or the Wage Rate Requirements (Construction) statute, the Contractor may meet this requirement by posting, in a prominent and accessible place at the worksite, the applicable wage determination under those statutes. With respect to workers whose wages are governed by the FLSA, the Recipient shall post notice, utilizing the poster provided by the Administrator, which can be obtained at www.dol.gov/whd/govcontracts, in a prominent and accessible place at the worksite. Recipients that customarily post notices to workers electronically may post the notice electronically provided the electronic posting is displayed prominently on any Web site that is maintained by the Recipient, whether external or internal, and customarily used for notices to workers about terms and conditions of employment.

(e) *Payroll Records.* (1) The Recipient shall make and maintain records, for three years after completion of the work, containing the following information for each worker:

(i) Name, address, and social security number;

(ii) The worker's occupation(s) or classification(s);

(iii) The rate or rates of wages paid;

(iv) The number of daily and weekly hours worked by each worker;

(v) Any deductions made; and

(vi) Total wages paid.

(2) The Recipient shall make records pursuant to paragraph (e)(1) of this clause available for inspection and transcription by authorized representatives of the Administrator. The Recipient shall also make such records available upon request of the Contracting Officer.

- (3) The Recipient shall make a copy of the agreement available, as applicable, for inspection or transcription by authorized representatives of the Administrator.
- (4) Failure to comply with this paragraph (e) shall be a violation of 29 C.F.R. § 10.26 and this agreement. Upon direction of the Administrator or upon the Awarding Officer's own action, payment shall be withheld until such time as the noncompliance is corrected.
- (5) Nothing in this clause limits or otherwise modifies the Recipient's payroll and recordkeeping obligations, if any, under the Service Contract Labor Standards statute, the Wage Rate Requirements (Construction) statute, the Fair Labor Standards Act, or any other applicable law.
- (f) *Access.* The Recipient shall permit authorized representatives of the Administrator to conduct investigations, including interviewing workers at the worksite during normal working hours.
- (g) *Withholding.* The Awarding Officer, upon his or her own action or upon written request of the Administrator, will withhold funds or cause funds to be withheld, from the Recipient under this or any other Federal agreement with the same Recipient, sufficient to pay workers the full amount of wages required by this clause.
- (h) *Disputes.* Department of Labor has set forth in 29 C.F.R. § 10.51, Disputes concerning Recipient compliance, the procedures for resolving disputes concerning an Recipient's compliance with Department of Labor regulations at 29 C.F.R. § 10. Such disputes shall be resolved in accordance with those. This includes disputes between the Recipient (or any of its Subrecipients) and the contracting agency, the Department of Labor, or the workers or their representatives.
- (i) *Antiretaliation.* The Recipient shall not discharge or in any other manner discriminate against any worker because such worker has filed any complaint or instituted or caused to be instituted any proceeding under or related to compliance with the E.O. or this clause, or has testified or is about to testify in any such proceeding.
- (j) *Subcontractor compliance.* The Recipient is responsible for Subrecipient compliance with the requirements of this clause and may be held liable for unpaid wages due Subrecipient workers.
- (k) *Subawards.* The Recipient shall include the substance of this clause, including this paragraph (k) in all subawards, regardless of dollar value, that are subject to the Service Contract Labor Standards statute or the Wage Rate Requirements (Construction) statute, and are to be performed in whole or in part in the United States.

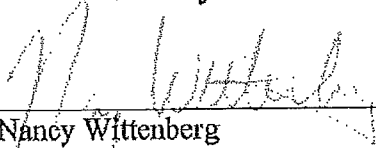
3. **ARTICLE XIV – ATTACHMENTS** is modified to add "New Jersey Pinelands Commission FY 2015-16 Work Plan and Project Budget" and SF 424s as Attachments C and D.

4. All other provisions remain unchanged.


IN WITNESS WHEREOF, the parties hereto have executed this modification on the date(s) set forth below.

FOR New Jersey Pinelands Commission

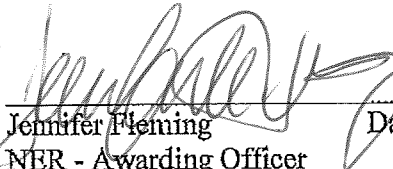
FOR THE NATIONAL PARK SERVICE



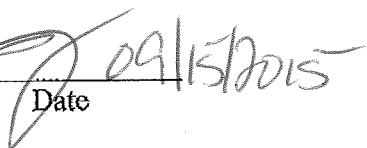
Nancy Wittenberg
Executive Director



Date



Jennifer Fleming
NER - Awarding Officer



Date

ATTACHMENT C
New Jersey Pinelands Commission
FY 2015-16 Work Plan and Project Budget

2015-2016 Long-term Environmental Monitoring Program - Tasks

1. In 2015/16, continue to analyze the water-quality data and plant and animal data from the second round of watershed surveys, initiate a comparison of the results of the two rounds of surveys, and begin to explore ranking the stream and impoundment sites from the second round using the multiple-indicator approach. If funding and staff resources allow, a report that describes the relationship between land use and the various water-quality and plant and animal indicators will be initiated in 2015.
2. In 2015/16, continue to monitor pH and specific conductance on a bimonthly basis at the network of 47 Pinelands-wide water-quality monitoring sites, initiate an analysis of the pH and specific conductance data from 2005 - 2014 to determine whether any trends in these parameters occurred during that period, examine the relationship between pH, specific conductance, nitrogen, phosphorus, and land use, and include the results of the trend and nutrient analyses in the report in #1.
3. In 2015/16, continue monthly water-level monitoring at the 35 forest plots and 30 of the 37 ponds, visit the seven ponds with continuous recorders quarterly to download the water-level data and maintain the recorders, initiate an analysis to summarize the hydrologic regimes associated with the forest-plots and ponds and to examine the relationship of water-level fluctuations among all of the water-level monitoring sites, and include the results of this analysis in the report in #1.
4. In 2015/16, continue the annual-anuran surveys by monitoring calling anurans monthly from March - June at these 20 ponds, initiate an analysis of the 1996 - 2013 vocalization data to assess trends in species occurrence and numbers calling during the period, and include the results of this analysis in the report in #1.
5. In 2015/16, continue the water-level and water-quality sampling for all 100 ponds in the Pond-vulnerability Study and complete plant and animal surveys for a portion of the 100 ponds.
6. In 2015/16, continue the water-level and water-quality sampling for all 97 sites in the Created-wetland Study and complete plant and animal surveys for a portion of the 97 sites.
7. In 2015/16, continue to provide coordination and outreach and host the Pinelands Research Series.
8. In 2015/16, initiate a process to have the environmental-monitoring program reviewed by the Science Advisory Committee and pursue the production of a brochure that highlights both the environmental-monitoring and economic-monitoring programs.

**ESTIMATED LONG-TERM ENVIRONMENTAL MONITORING EXPENSES
IN 2015 AND 2016**

Expenses	6/15-9/15	10/15-9/16	TOTAL
Personnel			
Salaries			
Chief Scientist	\$12,836	\$22,820	\$35,656
Research Scientists	\$16,439	\$29,226	\$45,665
Research Technician	\$1,367	\$2,430	\$3,797
Fringe Benefits (41%)	\$12,563	\$22,335	\$34,898
Total Personnel	\$43,205	\$76,811	\$120,016
Contractual	\$0	\$0	\$0
Equipment	\$0	\$0	\$0
Other (1)	\$446	\$1,000	\$1,446
Supplies (2)	\$7,242	\$11,141	\$18,383
Travel (3)	\$1,080	\$1,920	\$3,000
Total Direct Cost	\$51,973	\$90,872	\$142,845
Indirect costs (4)	\$8,778	\$15,348	\$24,127
Total	\$60,751	\$106,220	\$166,972

(1) - Training, Scientific Permits, State Lab Proficiency Test Samples & Formalin Disposal.

(2) - Statistica Software Upgrade, Reference Books, Report Printing, Publications, Sodium Hypochlorite, Batteries, Level Trolls, pH buffers, pH Probes, SC Probes, Poliable pH meter, Conductivity Meter, Level Troll Transducer, Maintenance for Water Quality Meters and electro shockers, and Troll mounting hardware. (No probe exceeds \$1,000 in cost).

(3) Travel costs – Automobile expenses for travel throughout the Reserve

(4) - Indirect costs are calculated at the negotiated rate of 16.89% of direct costs.

2015 – 2016 Long-Term Economic Monitoring Program Tasks

1. In early 2015, complete and issue the 2014 Pinelands Long-Term Economic Monitoring Program Annual Report and present findings to Pinelands Commission and Pinelands Municipal Council. In mid-2015, begin collecting 2014 economic and census data; analyze selected data; develop maps and charts; produce the 2015 Pinelands Long-Term Economic Monitoring Report and report findings in 2016.
 - In 2015/16, continue to determine the need or possibility for supplemental data to aid in analysis of current Pinelands economic conditions; collect necessary data; and report findings in future annual economic monitoring reports.
 - In 2015/16, identify gaps in data or needs for additional special studies to expand upon current economic monitoring program; determine what resources are required; and begin procurement of resources for analysis.
2. **Special Task:** In 2015/16, continue to review current status of the Pinelands Development Credit program; assess the impact of possible changes, and conduct *ad hoc* analyses for planned rule-making, which will include supply and demand status updates.
3. **Special Task:** In 2015/16, begin a review process of the Long-Term Economic Monitoring Program to determine what changes, if any, are necessary to improve the program.
4. **Special Task:** In 2015/16, reassess the need for retaining the current annual reporting format. Time permitting, should an alternative format be found that fills the need of the report and reduces production time; implement the new alternative format in place of the current annual report format.

Special Studies (time permitting)

5. In 2015/16, re-examine the impacts of municipalities that are "split" by the Pinelands boundary on the long-term economic monitoring program; investigate whether GIS and/or additional data can offer more accurate analysis than the current method (10% rule); and locate and secure data resources. Investigate if the use of ESRI estimates should be continued for future reports.
6. In 2015/16, revisit the Municipal Fiscal Health Special Study to determine needs for an update; reexamine methods for determining fiscal stress; and complete study/update, if a need is determined.

**ESTIMATED LONG-TERM ECONOMIC MONITORING EXPENSES
IN 2015 AND 2016**

Expenses	6/15-9/15	10/15-9/16	TOTAL
Personnel			
Salaries			
Planning manager	\$5,444	\$9,679	\$15,123
Planner	\$11,270	\$20,035	\$31,305
Assistant(s)	\$3,449	\$6,131	\$9,580
Fringe Benefits (41%)	\$8,267	\$14,696	\$22,963
Total Personnel	\$28,430	\$50,541	\$78,971
Contractual (1)	\$10,000	\$0	\$10,000
Equipment	\$0	\$0	\$0
Other	\$0	\$0	\$0
Supplies (2)	\$4,884	\$8,685	\$13,569
Travel(3)	\$500	\$500	\$1,000
Total Direct Cost	\$43,814	\$59,726	\$103,540
Indirect costs (3)	\$7,400	\$10,088	\$17,488
Total	\$51,214	\$69,814	\$121,028

(1) - Cost of program review for contractors/consultants

(2) - Annual Report Printing Cost, Toner, Postage, ArcInfo, ArcView, Adobe CS6 Design and ESRI Business Analyst licensing.

(3) Travel costs -- Automobile expenses for travel throughout the reserve by staff on assignment

(4) - Indirect costs are calculated at the negotiated rate of 16.89% of direct costs.

Application for Federal Assistance SF-424

Version 02

*1. Type of Submission		*2. Type of Application	*If Revision, select appropriate letter(s):
<input type="checkbox"/> Preapplication		<input type="checkbox"/> New	
<input checked="" type="checkbox"/> Application		<input checked="" type="checkbox"/> Continuation	* Other (Specify)
<input type="checkbox"/> Changed/Corrected Application		<input type="checkbox"/> Revision	
*3. Date Received:		4. Application Identifier:	
5a. Federal Entity Identifier: P13AC00654		*5b. Federal Award Identifier:	
State Use Only:			
6. Date Received by State:		7. State Application Identifier:	
8. APPLICANT INFORMATION:			
* a. Legal Name: New Jersey Pinelands Commission			
* b. Employer/Taxpayer Identification Number (EIN/TIN): 22-2273210		*c. Organizational DUNS: 111210527	
d. Address:			
*Street1: 15 C Springfield Rd Street 2: PO Box 359 *City: New Lisbon County: Burlington *State: New Jersey Province: Country: USA *Zip/ Postal Code: 08064			
e. Organizational Unit:			
Department Name:		Division Name:	
f. Name and contact information of person to be contacted on matters involving this application:			
Prefix: Ms.		First Name: Jessica	
Middle Name:			
*Last Name: Lynch		Suffix:	
Title: Business Services Manager			
Organizational Affiliation:			
*Telephone Number: 609-894-7300 Ext. 144		Fax Number: 609-894-7334	
*Email: jessica.lynych@njplines.state.nj.us			

Application for Federal Assistance SF-424

Version 02

9. Type of Applicant 1: Select Applicant Type: **A. State Government**

Type of Applicant 2: Select Applicant Type:

- Select One -

Type of Applicant 3: Select Applicant Type:

- Select One -

*Other (specify):

*10. Name of Federal Agency:

U. S. Department of the Interior, National Parks Service (NPS)

11. Catalog of Federal Domestic Assistance Number:

CFDA Title:

*12. Funding Opportunity Number:

*Title:

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Pinelands area covering portions of the following counties: Burlington, Camden, Cape May Cumberland, Gloucester, Ocean and Atlantic.

*15. Descriptive Title of Applicant's Project:

New Jersey Pinelands Long Term Environmental and Economic Program.

Attach supporting documents as specified in agency instructions.

Application for Federal Assistance SF-424

16. Congressional Districts Of: NJ-1, 2, 3, 4 and 13

*a. Applicant: New Jersey Pinelands Commission *b. Program/Project: NJ- 1, 2, 3, 4 and 13

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:

*a. Start Date: July 21, 2015 *b. End Date: June 30, 2016

18. Estimated Funding (\$):

*a. Federal	\$288,000.00	*d. Local	
*b. Applicant		*e. Other	
*c. State		*f. Program Income	
*d. Local		*g. TOTAL	\$288,000.00

*19. Is Application Subject to Review By State Under Executive Order 12372 Process?

- a. This application was made available to the State under the Executive Order 12372 Process for review on
- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E.O. 12372

*20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)

Yes No

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)

**I AGRBB

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: Ms. *First Name: Nancy

Middle Name:

*Last Name: Wittenberg

Suffix:

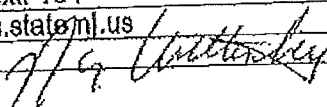
*Title: Executive Director

*Telephone Number: 609-894-7300 Ext. 104

Fax Number: 609-894-7338

*Email: Nancy.Wittenberg@njpines.state.nj.us

*Signature of Authorized Representative:



Date Signed:

BUDGET INFORMATION - Non-Construction Programs

SECTION A - BUDGET SUMMARY						
Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		Total (g)
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	
1. NHA Program	15.939	\$	\$	\$ 288,000.00	\$	288,000.00
2.						0.00
3.						0.00
4.						0.00
5. Totals		\$	\$	\$ 288,000.00	\$	288,000.00
SECTION B - BUDGET CATEGORIES						
GRANT PROGRAM, FUNCTION OR ACTIVITY						
	(1)	(2)	(3)	(4)		Total (5)
a. Personnel	\$	141,126.00	\$	\$	\$	141,126.00
b. Fringe Benefits		57,862.00				57,862.00
c. Travel		4,000.00				4,000.00
d. Equipment		0.00				0.00
e. Supplies		31,952.00				31,952.00
f. Contractual		10,000.00				10,000.00
g. Construction		0.00				0.00
h. Other		1,446.00				1,446.00
i. Total Direct Charges (sum of 6a-6h)		246,386.00	0.00	0.00	0.00	246,386.00
j. Indirect Charges		41,614.00				41,614.00
k. TOTALS (sum of 6i and 6j)	\$	288,000.00	\$	0.00	\$	288,000.00
7. Program Income	\$		\$		\$	

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SECTION C - NON-FEDERAL RESOURCES						
(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS		
8-NHA Program	\$	\$	\$			0.00
9.						0.00
10.						0.00
11.						
12. TOTAL (sum of lines 8-11)	\$ 0	\$0	\$			0.00
SECTION D - FORECASTED CASH NEEDS						
Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter		
\$	112,000.00 \$	\$	\$	56,000.00 \$		56,000.00
13. Federal						
14. Non-Federal	0.00					
15. TOTAL (sum of lines 13 and 14)	\$	112,000.00 \$	0.00 \$	56,000.00 \$		56,000.00
SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT						
(a) Grant Program	FUTURE FUNDING PERIODS (Years)					
	(b) First	(c) Second	(d) Third	(e) Fourth		
16. FY 16	\$	176,000.00 \$	\$			
17.						
18.						
19.						
20. TOTAL (sum of lines 16-19)	\$	176,000.00 \$	0.00 \$	0.00 \$		0.00
SECTION F - OTHER BUDGET INFORMATION						
21. Direct Charges:	\$246,386.00					
		22. Indirect Charges:	\$41,614.00			
23. Remarks:						