



NEW JERSEY PINELANDS COMMISSION

MONTHLY MANAGEMENT REPORT



A vineyard/winery that has been permanently preserved through the Pinelands Development Credit program, as photographed in September

SEPTEMBER 2021

1 EXECUTIVE OFFICE

1.1 ACTING EXECUTIVE DIRECTOR

1.1A COMMITTEE MEETINGS

- **Pinelands Climate Committee:** The Committee met on September 15, 2021. Staff provided the Committee with information on the Local Government Energy Audit program offered by the New Jersey Board of Public Utilities. An application for an audit of the Commission's offices will be submitted during Fiscal Year 2022. Staff provided an update on the New Jersey Department of Environmental Protection's PACT (Protecting Against Climate Threats) and REAL (Resilient Environments and Landscapes) rulemaking initiatives. Finally, the Committee discussed two recently issued reports related to climate change, one issued by the International Panel on Climate Change and the other by ReThinkX.
- **Policy & Implementation Committee:** The Committee met on September 24, 2021. Staff provided an update on the Pinelands Conservation Fund land acquisition program and secured the Committee's agreement to hold off on funding any projects until another solicitation could be made in 2022. The Committee received a presentation on the Commission's Electric Transmission Right of Way (ROW) Maintenance Pilot Program, including highlights from site inspections during 2016-2018, and the Science office's vegetation monitoring program. Staff then provided an overall evaluation of the pilot program and recommendations for amendments to the Comprehensive Management Plan (CMP). Finally, the staff made a presentation on the new rules adopted by the State Cannabis Regulatory Commission in August 2021 and their relationship to the CMP.

1.1B PINELANDS MUNICIPAL COUNCIL

- **Pinelands Municipal Council:** The Council met on September 28, 2021, in Weymouth Township. The Council discussed the need for restoration of PILOT (Payment in Lieu of Taxes) funding with State Senator Vince Polistina. The Council's next meeting is scheduled for November 23, 2021, in Washington Township.

1.1C RULEMAKING

- **Stormwater management:** The proposed CMP amendments were published in the July 19, 2021, issue of the New Jersey Register. A remote public hearing was held on September 1, 2021, with six individuals providing oral testimony. Written public comments were accepted through September 17, 2021, and received from 10 individuals and organizations. Staff is reviewing the public comments and will be preparing a summary of the comments as well as recommended responses to incorporate in the Commission's adoption notice.
- **Electric Transmission Right of Way Maintenance Pilot Program:** Staff presented a comprehensive evaluation of the Pilot Program at the Policy & Implementation Committee's September 24, 2021, meeting. All pilot program evaluation documents were provided to the New Jersey Board of Public Utilities and the three utility companies subject to the program

(Atlantic City Electric, Jersey Central Power & Light and Public Service Electric & Gas). Staff concluded that the 10-year program has been successful and will now draft CMP amendments for discussion with the Policy & Implementation Committee in October.

- **Kirkwood/Cohansey:** Staff has identified and initiated a process with the United States Geological Survey (USGS) through which the USGS would review data and groundwater withdrawal models.

The work by USGS would be funded through an escrow account established for any specific well application submitted after adoption of the CMP amendments. A draft agreement has been prepared, along with a sample addendum that outlines specific tasks, application requirements, and anticipated costs. These documents will be finalized in cooperation with USGS, after which staff will complete a final draft of the implementing CMP amendments to share with the Policy & Implementation Committee.



1.1D OPEN PUBLIC RECORDS ACT

- A total of 18 Open Public Records Act (OPRA) requests were received in September. Of the 18 requests, eight were provided responsive material, three were advised that there was no responsive material, and the remaining request will be responded to in October.

1.2 HUMAN RESOURCES

- **Return to Office:** In accordance with the Pinelands Commission Return to the Office plan, staff members reported to work at the Commission's offices at least three days per week in September. When working in the office, staff members are required to take their temperatures and complete the Employee COVID-19 Daily Self-Screening form. The office remains closed to the public and all meetings continue to be conducted remotely. These policies and procedures will remain in place through October 18, 2021. At the request of the Governor's Authorities Unit (GAU), staff conducted a survey of all employees on September 30, 2021, to determine their COVID-19 vaccination status. All state employees are required to provide proof of full vaccination by October 18, 2021, or be subject to ongoing testing (at least once to twice weekly).
- **NJ Employees Charitable Campaign:** The 2021/2022 NJECC virtual kick off was held September 14, 2021. This year's campaign will run from September 14 – December 31.
- **Recruitment:** The Commission is currently recruiting for six vacant positions. Job announcements were posted on various websites and distributed via email. Resumes will be accepted through October 17, 2021.

2 PLANNING

2.1 CONFORMANCE ACTIVITY

	Monthly Total	Calendar Year to Date
Master Plans/Ordinances Received		
Adopted	2	103
Drafted or Introduced	2	71
Total ¹	3	117
Master Plans/Ordinances Reviewed		
Substantial Issue Finding ²	0	2
No Substantial Issue Finding	2	41
No Issue Finding	0	39
Total	2	82
Finding Letters Issued³	1	52

2.2 CULTURAL RESOURCE ACTIVITY

Activity	Monthly Total	Calendar Year to Date
Applications Reviewed	7	60
Surveys Required	0	5
Surveys Reviewed	3	7
Certificates of Appropriateness Required	1	5

Notable Activity:

- **Research:** Staff conducted continuing historic research at multiple repositories for inclusion in the pending St. Mary's of the Pines Cemetery Ground Penetrating Radar (GPR) report.

¹The total accounts for unique master plans and ordinances received (i.e., it does not double count drafted, introduced, or adopted submissions for the same ordinance).

² Ordinances and Master Plans that are found to raise substantial issues with respect to the standards of the CMP require formal review and approval by the full Commission.

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

2.3 PINELANDS DEVELOPMENT CREDIT PROGRAM

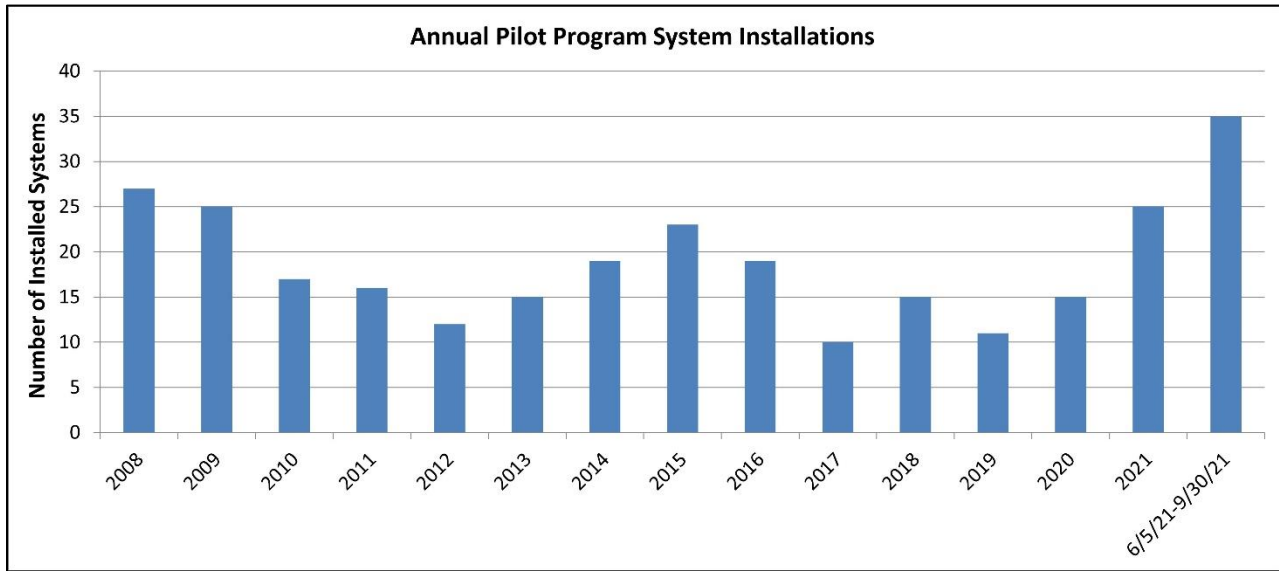
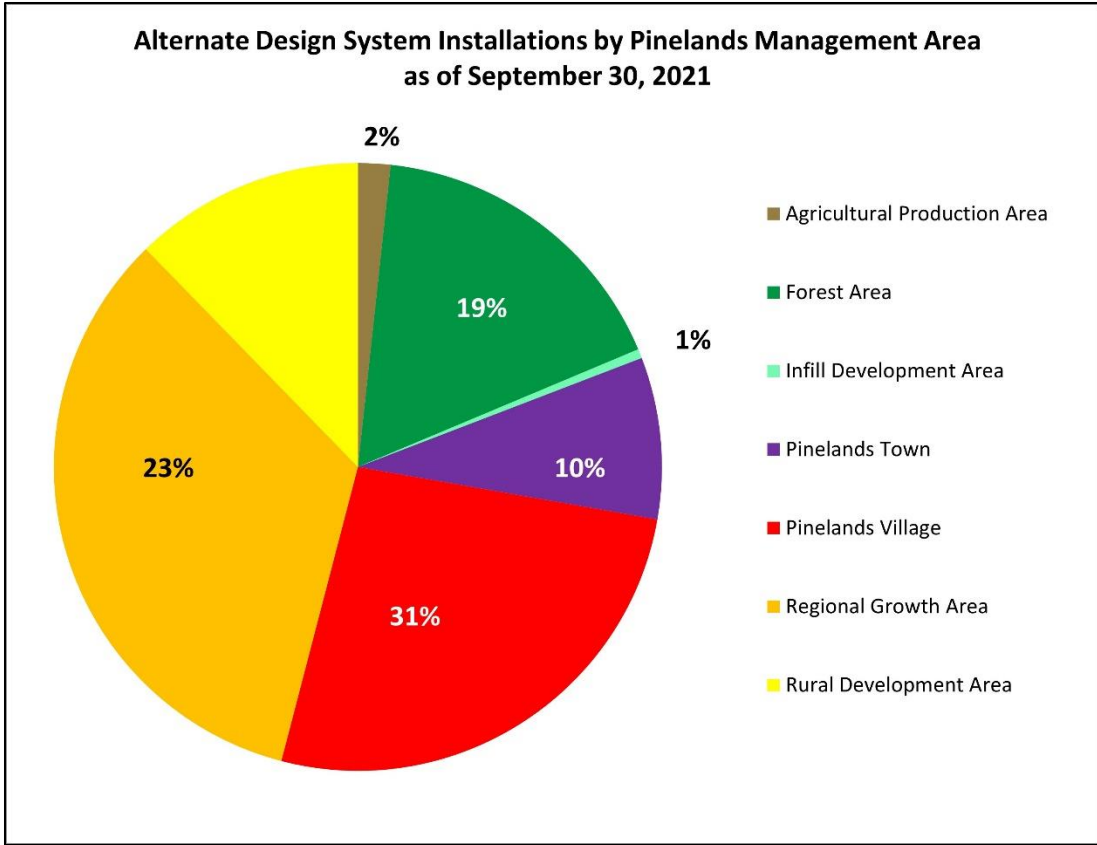
Activity	Monthly Total	Calendar Year to Date
PDCs Allocated	2.25	59.70
PDCs Severed	3.25	20.75
Acres Protected	68	577
PDCs Extinguished	0	4.50
Acres Protected	0	152
PDCs Sold	0.75	26.75
Average Sales Price per PDC	\$73,332	\$53,184
Average Sales Price per right	\$18,333	\$13,296
PDCs Redeemed	31.75	44.00

Notable Activity:

- PDC Allocations:** A total of 2.25 PDCs (9 rights) were allocated to parcels located in the Agricultural Production Area in Mullica, Pemberton, Shamong and Tabernacle townships.
- PDC Severances:** 3.25 PDCs were severed in Franklin Township, permanently protecting 68 acres in the Agricultural Production Area.
- PDC Redemptions:** 22.50 PDCs (90 rights) were redeemed on a mixed-use project involving 360 units, a hotel and two retail buildings in South Toms River Borough, marking the first use of PDCs in that municipality to date. A total of 9.0 Pinelands Development Credits (36 rights) were redeemed for the development of 89 single-family detached dwellings in Monroe Township. Finally, 0.25 PDCs were redeemed for the development of one single-family detached dwelling on an undersized lot in Egg Harbor Township.

2.4 SPECIAL PROJECTS

- Septic Pilot Program:** A total of 60 new systems were approved and installed between June 2020 and September 30, 2021, bringing the total to 406 systems since the beginning of the pilot program. The majority of new systems (72%) were installed in Tabernacle Township as part of the development of 56 single-family homes in the Regional Growth Area.



- Pinelands Conservation Fund Land Acquisition program:** Staff made recommendations to the Policy & Implementation Committee about moving forward with the grant program. Only one project proposal was received for the acquisition round that closed on July 30, 2021. Although the project was a large site with cedar swamps, it did not score highly based on the priorities approved by the Committee in March. A survey of several non-governmental

organizations and counties with active land acquisition programs found that other goals and focus areas limited their participation in the most recent PCF offering. Staff recommended that funding not be offered to the one project at this time. Instead, a new round of grant invitations should be issued next June using the same set of priorities already approved by the Committee.

- Permanent Land Protection:** The annual update on newly protected land in the Pinelands Area for fiscal year 2021 was reported at the September Commission meeting. The annual report noted that a total of 1,529 additional acres were preserved between July 1, 2020, and June 30, 2021. The report highlighted some notable preservation projects including a severance of 16.75 PDCs resulting in preservation of 480 acres in Bass River Township, and a 226-acre acquisition by the State near the Bear Swamp Preserve in Southampton Township. Looking at all acquisitions, there have been over 480,500 acres preserved or approximately 51% of the 938,000 acres in the Pinelands Area.

3 REGULATORY PROGRAMS

3.1 APPLICATION ACTIVITY

Activity	Monthly Total	Calendar Year to Date
Pre-Application Conferences	6	97
Certificates of Filing	21	132
Public Development Reports	1	13
Forestry Certificates of Filing	2	7
PDC Letters of Interpretation	4	25
Non-PDC Letters of Interpretation	0	2
MOA Consistency Determinations	3	28
Review of Agency Determinations	68	682

3.2 NOTABLE APPLICATIONS

- Communication Tower, Winslow Township (App. No. 19940391.007):** This application proposes a 157-foot-high local communication facility (tower) accessory to the existing Waterford Works Fire Station located in Winslow Township. The proposed tower is not included in a Commission approved local communications facilities (cell tower) plan. On September 3, 2021, the applicant submitted additional information in an attempt to demonstrate that the proposed communications tower qualifies as accessory to the existing fire company. That information is currently under review by the Commission staff.

- Residential Subdivision, Shamong Township (App. No. 1989-00889.003):** This application proposed a three-lot subdivision of a 17.23-acre parcel and to locate an existing dwelling on a 7.99-acre lot in accordance with the cultural housing provision of the Township's land use ordinance and the Pinelands Comprehensive Management Plan (CMP). The cultural housing provision allows for the creation of undersized lots for owners as of 1979 that can demonstrate certain long term family ties to the Pinelands Area. The existing dwelling is located in a Township agricultural zoning district that typically requires a 10-acre minimum lot size. Based upon available information, the existing dwelling on the proposed 7.99-acre lot was sold to another individual approximately 15 months after the subdivision was approved. The subdivision approval was not submitted to the Pinelands Commission for review until July of 2021. The application is currently scheduled for a Commission staff public hearing since it has not been demonstrated that the current owner of the 7.99-acre lot qualifies to create the lot in accordance with the cultural housing provision.
- Municipal Potable Water Well, Pemberton Township (App. No. 1987-0411.011):** This application proposes a potable water well. The applicant is proposing an aquifer pump test to determine if there is sufficient water available for the proposed potable water well. As part of that aquifer pump test, the applicant proposes to discharge approximately 400 gallons per minute to the ground surface for 24 continuous hours. Based upon the Commission's wetlands protection standards, the applicant is prohibited from discharging the pumped water directly to wetlands. On September 21, 2021, the staff met with the applicant and NJDEP staff to discuss alternative areas to dispose the pumped water. The Commission staff advised that the pumped waters could be discharged anywhere on the approximately 30 acre parcel but could not be discharged directly to wetlands and an adequate buffer to wetlands must be provided. The applicant will be submitting information to the Commission staff identifying a location on the parcel to discharge the pumped water.
- Residential Subdivision, Evesham Township (App. No. 1985-0516.005):** This application proposes a two-lot subdivision, demolition and reconstruction of an existing dwelling and development of a second dwelling on a 7.41-acre parcel. The parcel is located in a relatively developed area of the Township where there are known threatened and endangered animal sightings. By letter dated September 29, 2021, the Commission staff requested information to demonstrate that the proposed development was consistent with the threatened and endangered species protection standards of the Township land use ordinance and the CMP.

3.3 OTHER ITEMS OF INTEREST

- Pemberton Township Presidential Lakes Recreation Vehicle Inquiry:** By email dated September 16, 2021, Pemberton Township requested guidance from the Commission regarding techniques to discourage recreational vehicle use on Township-owned lands in the Presidential Lakes area. The concerned lands were included as part of a Commission Waiver of Strict Compliance that dates back to the late 1980's. As part of the Waiver, the lands were deed restricted by the applicant to build 103 dwellings on other lands in the Presidential Lakes area. Subsequently, the Township took ownership of the deed restricted lands. The deed restricted lands are now being used by recreational vehicles. The Commission staff is currently reviewing the request and will attempt to provide suggestions on how to discourage the recreational vehicle use of the deed restricted lands.

3.4 OFF-ROAD VEHICLE ROUTE MAP APPROVALS

- **Application # 2005-0459.034**
Meteor Motorcycle Club
Approval Issued: 9/22/2021
Event Name: Fall Brawl Hare Scramble
Event Date: October 16 and 17, 2021
Municipality: Maurice River Township
Lands Utilized: Ormond Farms located on Hesstown Road
Route Length: 20 miles

4 SCIENCE

4.1 ENVIRONMENTAL MONITORING

- **Water Level Monitoring:** In September, Science and Communications staff measured water levels at forest plots and ponds in the Commission network of long-term monitoring sites. This work is completed each month in cooperation with the Communications Office.

4.2 LONG TERM STUDIES

- **Kingsnake Study:** Staff continued to radio track kingsnakes in September. The signal for one kingsnake has not been heard for several weeks and it is likely that this snake was killed. Due to the lack of Commission vehicles with 4x4 capability, tracking frequency has been reduced for several snakes with more well-known activity ranges.
- **Joint Corn Snake Study:** Staff continued to monitor the drift fence for animals found under the wood and metal cover, in box traps, and in the pitfall traps established along the fence array. The entire drift fence array is checked seven days per week from April to November.
- **Rare Snake Monitoring:** Staff continued to track corn snakes, pine snakes, and a hognose snake to locate their dens for long-term monitoring. In September, snakes are starting to move back towards their dens and several snakes have been recaptured that were captured and pit tagged during prior years. Two new corn snakes were found in an area where they were not previously documented to occur. Both snakes will be tracked to locate their dens.
- **Eastern Box Turtle Study:** In September, staff continued to track box turtles. Staff found a new female box turtle while tracking kingsnakes and began tracking her.

OTHER ITEMS OF INTEREST

- Staff led separate field trips for Monmouth University and Temple University ecology classes to demonstrate radio-tracking reptiles and discuss current Science Office research.

- Staff presented a brief overview of the results of the Commission right-of-way vegetation monitoring study to the Policy and Implementation Committee.

5 COMMUNICATIONS

5.1 COMMUNICATIONS & PUBLICATIONS

- **Website:** The Pinelands Commission’s website was viewed 13,331 times in September 2021. Staff continued its comprehensive review of all webpages, documents, and links on the Commission’s website in September. Approximately 10 self-fillable, .pdf forms were updated and posted, and numerous Pinelands fact sheets were revised and posted.
- **Inquiries/Correspondence:** The Communications Office received and responded to 62 inquiries from the public in September 2021, including phone calls, e-mails, and media inquiries.
- **Press Release/Video:** In September, the Communications Office sent the New Jersey Department of Environmental Protection a quote from Chairman Rick Prickett for a press release that the department issued regarding a major Atlantic white cedar restoration project. A Communications Office staff member also participated in the department’s cedar restoration video.
- **Office Support:** In September, Communications Office staff drafted a resolution to express the Commission’s appreciation for former Commissioner Jordan Howell, took and printed photos that were framed and will be provided to Commissioner Howell, measured water levels at ponds and wells on September 7th and 8th, designed and helped to produce the 22-page [Electric-transmission Right-of-Way Vegetation Management Report](#), reformatted several PowerPoint presentations for fellow staff, and hosted virtual meetings on September 1st, 10th, 15th and 24th.

5.2 EVENTS, OUTREACH & INTERPRETIVE PROGRAMS

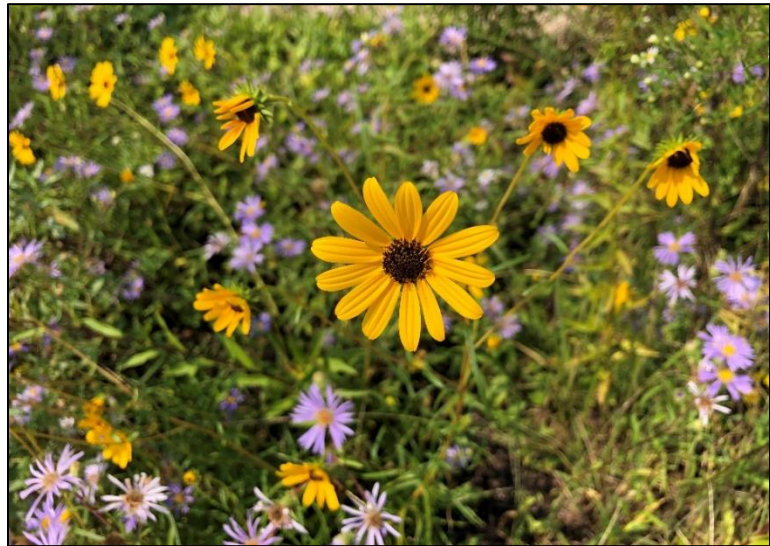
- **Pinelands Speaker Series Webinars:** Staff hosted a webinar entitled, “Rare Bats of the Pinelands,” on September 16th. The webinar has generated 154 views thus far, including 13 thumbs up and no thumbs down. The Commission will host a cranberry harvest webinar on October 21st and a webinar on local, misunderstood animals on October 28th.



- **In-class Education:** A Communications Office staff member delivered an in-person, Pinelands education program for students at Barnegat High School on September 20th.
- **Pinelands Short Course:** Staff secured several presentations the Pinelands Short Course, which is scheduled for March 12, 2022.

- **Pinelands-themed World Water Monitoring Challenge:** Staff continued to coordinate plans for this year’s event, which will be held at Batsto Lake on October 22, 2021.

- **Social Media Enhancements:** Staff continued to enhance the Commission’s social media pages in September 2021. Staff posted 39 photos and two videos on the Commission’s Instagram site and shared 17 tweets on the agency’s Twitter account.



Above: Staff shared 39 photos on Instagram in September 2021, including this photo of native narrowleaf sunflowers and native showy asters blooming in the pollinator garden at the Pinelands Commission’s headquarters in Pemberton Township.

Unfortunately, due to authentication issues, the Commission has been unable to post on its Facebook page since the second week of April 2021. The Commission has contacted Facebook about the issue dozens of times.

6 INFORMATION SYSTEMS

- **Pinelands Commission Information System Upgrades:** The Pinelands Commission Information System (PCIS) is the internal system of record for all applications to the Pinelands and associated transactions. Staff provided desktop support, implemented enhancements and bug fixes to streamline operations and facilitate remote work.
- **Cybersecurity:** Vigilance to protect the internal networks, hardware, and data of the Pinelands Commission is critical in today’s networked world, especially due to the added complexities of supporting employees working from home. The Information Systems office participated in the periodic New Jersey Cybersecurity Communication and Integration Cell (NJCCIC) monthly meeting.
- **Office 365 Migration:** The Information Systems Office provides a stable and secure desktop environment. Staff completed the migration to Office 365 for ten more users and anticipates completing this part of the project in the next month.

- **Permanent Land Protection (PLP) Data System:** The PLP system manages the data related to all the preserved land in the Pinelands National Reserve. The new PLP data system went live this month. Staff began work on a workflow integration process with the Pinelands Commission Information System that will streamline the tracking of new and updated parcels of protected land. Staff continues to work with the Planning Office to refine the Deed Restriction data entry tool.
- **Pinelands Development Credit Bank:** The Pinelands Development Credit (PDC) Bank is the processing agency for the Pinelands Development Credit Program, one of the oldest and most successful transfer of development rights (TDR) programs in the world. The Information System staff provides operational support and reporting to the PDC Bank.
- **Technology Enhancements:** Staff members continually evaluate emerging technologies for how they can impact or enhance the office environment. Staff set up and connected a new large format scanner for use in digitizing legacy documents and moving towards a paperless process. Staff researched new capabilities in Microsoft 365 including Power Automate, SFTP module, and Socrata data processing to improve open data sharing with the public. Staff also introduced Teams collaborative editing to assist in the creating of the monthly management report.

7 BUSINESS OFFICE

7.1 FINANCIAL MANAGEMENT

- **Application Fees:** September 2021, Net Total: \$77,134.47; Year to Date Total: \$312,899.55
- The FY 2019 Audit has been completed and can be reviewed at: <https://www.njleg.state.nj.us/legislativepub/Auditor/03002220.pdf>
- The Historic Fenwick Manor Exterior Painting Project RFP #22-001 closed on September 8, 2021, resulting in only one bid (\$300,223.55) that was well in excess of the project budget of \$95,000. As a result, no award could be made. Staff have notified the Treasury Department of the unsuccessful RFP and requested assistance from both Treasury and the GAU.

7.2 FACILITIES MANAGEMENT

- The hot water heater in the Barn was repaired.
- The annual RJS sprinkler inspection has been completed.
- The 2008 Toyota Prius has been repaired following the theft of the catalytic converter.