



NEW JERSEY PINELANDS COMMISSION

MONTHLY MANAGEMENT REPORT



The sun setting over the Franklin Parker Preserve in the Pinelands in February

FEBRUARY 2024

1 EXECUTIVE OFFICE

1.1 EXECUTIVE DIRECTOR

1.1A COMMITTEE MEETINGS

- **Personnel & Budget (P&B) Committee:** The Committee did not meet in February.
- **Pinelands Climate Committee:** The Committee met on February 14, 2024. Staff updated the Committee on the Board of Public Utilities Dual-Use Solar Pilot Program straw proposal and the status of Senate Bill 2424 (management of publicly owned forested land). Staff then made a presentation summarizing the Pinelands Management Area boundary assessment for climate change hazards and gave its recommendations to the Committee. The Committee moved that the recommendations for new or expanded permanent land protection acquisition target areas should be forwarded to the Policy & Implementation (P&I) Committee for consideration. Separately, the Committee approved the recommendations for further exploring expanded wetlands buffers and for density transfer in certain Pinelands Villages.
- **Policy & Implementation (P&I) Committee:** The Committee met on February 23, 2024. Evesham Township made a presentation to the Committee about a proposed Memorandum of Agreement (MOA) to facilitate a trail improvement project at Black Run Preserve. The trail improvements would include grading, crushed stone surfacing, Americans with Disabilities Act-compliant parking spaces, and the installation of a bridge to make the park more accessible and inclusive. The improvements are proposed in wetlands and wetlands buffers. The Committee supported the MOA proposal moving on to the full Commission. The Committee also heard a presentation on recommended changes to the Pinelands Conservation Fund (PCF) land acquisition grant project evaluation criteria, funding levels for projects with specific stewardship plans, and the schedule for the grant roll-out. The presentation included new or expanded acquisition target areas recommendations coming from the Climate Committee as a result of the Pinelands Management Area boundary assessment. The P&I Committee approved the changes to the PCF evaluation criteria, funding levels, schedule, and acquisition target areas.

1.1B RULEMAKING

- **Water Management (Kirkwood-Cohansey):** Staff is drafting model ordinances for adoption by Pinelands municipalities in response to the adopted water management Comprehensive Management Plan (CMP) amendments.

1.1C OPEN PUBLIC RECORDS ACT

- A total of 11 Open Public Records Act (OPRA) requests were received in February. Eight were provided responsive material and three will be responded to in March.

1.1D PINELANDS MUNICIPAL COUNCIL

- The Pinelands Municipal Council did not meet in February.

1.2 LEGAL AND LEGISLATIVE AFFAIRS

1.2A LITIGATION

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

1.2B LEGISLATION

Pinelands Specific Legislation

<u>Bill No.(s)</u>	<u>Prime Sponsor(s)</u>	<u>Synopsis</u>	<u>Current Status</u>
A4/S50	Lopez, Coughlin, Wimberly, Reynolds-Jackson/Singleton, Scutari	Reforms municipal responsibilities concerning provision of affordable housing; abolishes COAH; appropriates \$16 million.	Assembly Bill – Passed by Assembly on 2/12/24, referred to the Senate Budget & Appropriations Committee Senate Bill – Reported from Committee, Second Reading, Referred to Senate Budget and Appropriations Committee on 1/25/24.
S2424	Smith/McKeon	Establishes various programs in NJDEP concerning management of publicly owned forested land; appropriates \$60 million.	Reintroduced, Referred to Senate Environment and Energy Committee on 1/29/24.

Pinelands Related Legislation

<u>Bill No.(s)</u>	<u>Prime Sponsor(s)</u>	<u>Synopsis</u>	<u>Current Status</u>
A682/S699	Kean/Singer	Establishes program, in NJDEP, for acquisition of development easements on privately-owned woodlands.	Assembly Bill - Reintroduced and Referred to Assembly Environment Natural Resources and Solid

			Waste Committee on 1/9/24. Senate Bill - Reintroduced, Referred to Senate Environment and Energy Committee.
S257	Smith	Authorizes State Treasurer to appoint Garden State Preservation Trust acting executive director under certain conditions.	Senate Bill – Reintroduced, Referred to Senate Environment and Energy Committee
A1253/S2859	Sauickie/Greenstein	Prohibits planting of non-native species in landscaping at State parks and forests; establishes grant program to support use of native plants at local parks and forests; appropriates \$250,000.	Reintroduced, Referred to Assembly Environment, natural Resources and Solid Waste Committee on 1/9/24. Senate Bill – Proposed for Introduction
A1300	Sauickie	Provides CBT (Corporate Business Tax) credit for construction or retrofitting of warehouses to meet certain green building standards.	Reintroduced, Referred to Assembly Commerce, Economic Development and Agriculture Committee on 1/9/24.
A1301	Sauickie	Requires State Planning Commission to adopt model buffer ordinances detailing different regulatory options for siting warehouses; allows conforming updates to municipal master plans and zoning ordinances.	Reintroduced, Referred to Assembly Community Development and Women’s Affairs Committee on 1/9/24.
A1302	Sauickie	Requires certain warehouses to obtain air pollution control permits from NJDEP.	Reintroduced, Referred to Assembly Environment, Natural Resources and Solid Waste Committee on 1/9/24.
A1303/S1074	Sauickie/Greenstein	Requires NJDEP to evaluate cumulative impact of stormwater when reviewing applications associated with warehouses and other high-density development projects.	Reintroduced, and Referred to Assembly Environment, Natural Resources and Solid Waste Committee on 1/9/24.

			Senate Bill introduced and referred to Environment and Energy Committee on 1/9/24.
A3697/S2792	Spearman, Park/Cruz-Perez, Turner	Appropriates \$500,000 from constitutionally dedicated CBT revenues and “2009 Farmland Preservation Funds” to State Agriculture Development Committee for municipal planning grants for farmland preservation purposes.	Assembly Bill – Reported from Committee, Second Reading on 2/22/24. Senate Bill – Introduced, Referred to Senate Government, Wagering, Tourism and Historic Preservation Committee on 2/15/24.
A3698/S2793	Reynold-Jackson, Freiman, Fantasia/Cruz-Perez, Turner	Appropriates \$1.723 Million from constitutionally dedicated CBT revenues and “2009 Farmland Preservation Fund” to State Agriculture Development Committee for grants to non-profits for farmland preservation purposes	Assembly Bill – reported out of Committee, Second Reading on 2/22/24. Senate Bill – Introduced, Referred to Senate Environment and Energy Committee on 2/15/24.
A3784/S2455	McCoy/Bucco	Makes \$100 million in federal funds available to DEP for grants to local governments for drinking water, wastewater and stormwater infra-structure projects	Assembly Bill – Introduced, Referred to Assembly Environment, Natural Resources, and Solid Waste Committee on 2/22/24. Senate Bill – Introduced, Referred to Senate Environment and Energy Committee on 2/5/24.
A3820/S609	Fantasia/Tiver	Excludes farmland from definition of “redevelopment area” and “rehabilitation area” in local Redevelopment and Housing Law	Assembly Bill – Introduced, Referred to the Assembly Commerce, Economic Development and Agriculture Committee on 2/22/24.

			Senate Bill – Introduced, Referred to Senate Economic Growth Committee on 1/9/24.
A3831	Sauickie	Expands definition of “qualifying land” for purposes of determining where a rural microenterprise may be permitted on a preserved farm	Introduced, Referred to Assembly Commerce, Economic Development and Agriculture Committee on 2/22/24.
A3833	Sauickie	Requires the Office of Planning Advocacy to publish certain information concerning warehouses over 100,000 sq. ft. on its website	Introduced, Referred to Assembly Commerce, Economic Growth and Agriculture Committee on 2/22/24.
A3914	Katz	Permits agriculture-related events on preserved farmland	Introduced, Referred to Assembly Commerce, Economic Development and Agriculture Committee on 2/27/24.
S2816	Smith/McKeon	Requires electric public utilities to submit to BPU and implement electric infrastructure improvement plans	Introduced, Referred to Senate Environment and Energy Committee on 2/22/24.
S2827	Singleton	“Emissions Reduction Innovation Act”; authorizes gas public utilities to develop and implement plans to reduce greenhouse gas emissions	Introduced, Referred to Senate Environment and Energy Committee on 2/27/24.
A3645/S2425	Calabrese/McKeon, Smith	Establishes a low carbon transportation fuel standard program in DEP	Assembly Bill – Introduced, Referred to Assembly Environment, Natural Resources and Solid Waste Committee on 2/12/24. Senate Bill – Introduced, Referred to Senate Environment and Energy Committee on 1/29/24.
A3070/S2690	Guardian/Cruz-Perez, Corrado	Requires State entities to recycle certain materials and provide recycling bins	Assembly Bill – Introduced, Referred to Assembly Environment, Natural Resources and

			Solid Waste Committee on 1/9/24. Senate Bill – Introduced, Referred to Senate Environment and Energy Committee on 2/12/24.
S2724	Space	Establishes “Invasive Species Task Force”	Introduced, Referred to Senate Environment and Energy Committee on 2/15/24.
S2788	Cruz-Perez, Turner	Appropriates \$128.241 Million from constitutionally dedicated CBT revenues for farmland preservation	Introduced, Referred to Senate Government, Wagering, Tourism and Historic Preservation Committee on 2/15/24.

1.2B INTERGOVERNMENTAL AGREEMENTS

- Pemberton Township:** This Memorandum of Agreement (MOA) between the Township and the Commission authorizes a deviation from CMP wetlands and wetlands buffer standards to accommodate surfacing of an existing trail at Pemberton Lake for accessibility purposes. The Commission approved execution of this MOA at its January 12, 2024 meeting. The MOA was subsequently signed by both parties in mid-February and posted on the Commission’s website. The Township will need to complete and submit its revegetation plans, rain garden plan, wetlands general permit and right of entry approval from NJDEP before the trail improvement project may commence.
- Stafford Township:** This proposed MOA would authorize a deviation from CMP wetlands buffer standards to accommodate paving of an existing trail around Forecastle Lake for accessibility purposes. The Township delivered a presentation at the Commission’s July 14, 2023 meeting regarding the project and the need for a deviation MOA. Following the presentation, the Commission authorized the staff to begin working with Stafford Township to develop the draft MOA. Staff is waiting for Stafford Township to submit additional information.
- Evesham Township:** The Township is proposing an MOA that would accommodate surfacing of an existing trail and parking improvements within wetlands and wetlands buffers in the Black Run Preserve. Township representatives met with Chair Matos and the Executive Director on January 17, 2024 and provided an overview of their proposal. The Township made a presentation to the P&I Committee on February 23, 2024 and will do the same for the full Commission in April.

1.3 HUMAN RESOURCES

- **Contract Negotiations:** A meeting with legal counsel and management was held on February 20, 2024. A meeting with the Communications Workers of America (CWA) negotiations team was held February 27, 2024. The next meeting with the CWA negotiations team will be held on March 5, 2024.
- **Recruitment:** Interviews continue for two Planning Specialist vacancies. Recruitment efforts are also underway for a Technical Assistant in the Land Use Programs office.
- **Benefit Time Records:** Employee records were reviewed and adjusted as necessary.

2 INTERAGENCY COORDINATION

- **New Jersey Board of Public Utilities (NJBP):** NJBP staff issued its straw proposal for the dual-use solar program on November 15, 2023 and conducted a virtual stakeholder meeting on that proposal on November 29th. Staff provided a brief overview of the straw proposal at the Commission's January 12, 2024 meeting. Staff met with NJBP staff virtually on February 1, 2024 and continue discussions concerning how to make the Dual-Use Solar Pilot Program available to Pinelands farmers in light of the siting prohibitions of the Dual-Use Solar Act and the CMP.
- **Interagency Council on Climate Resilience (IAC):** Commission staff attended the February Council meeting, The Council requested that every agency participate in one of three new work groups: Executing IAC Outreach and Engagement Strategy; Extreme Heat Coordinated Communications; or Vulnerability Assessments. Staff will be participating in the Vulnerability Assessment work group.
- **New Jersey Office of Planning Advocacy (NJOPA) Interagency Workgroup:** On January 31, 2024, NJOPA staff distributed a first draft version of certain sections of the preliminary state plan to interagency workgroup members. Commission staff provided suggested revisions and comments on the Pinelands section of the preliminary draft on February 28, 2024.
- **New Jersey Department of Environmental Protection (NJDEP):** On February 26, 2024, NJDEP released the draft 2024 Statewide Water Supply Plan and noted that a 60-day public comment period is now open. Commission staff will attend a NJDEP briefing on the draft plan to be held in late March or early April, with the goal of providing a summary to the Climate Committee in April. The Department also announced that the comment period has been extended for amendments to its contaminated site remediation and redevelopment rules.

3 LAND USE PROGRAMS

3.1 CONFORMANCE ACTIVITY

	Monthly Total	Calendar Year to Date
Master Plans/Ordinances Received		
Adopted	10	10
Drafted or Introduced	3	7
Total ¹	6	10
Master Plans/Ordinances Reviewed		
Substantial Issue Finding ²	0	3
No Substantial Issue Finding	5	7
No Issue Finding	0	0
Total	5	10
Finding Letters Issued³	3	5

3.2 CULTURAL RESOURCE ACTIVITY

Activity	Monthly Total	Calendar Year to Date
Applications Reviewed	13	29
Surveys Required	3	7
Surveys Reviewed	1	3
Certificates of Appropriateness Required	1	1

- Fenwick Manor:** The final preservation plan has been submitted to and approved by the New Jersey Historic Trust. This report was produced using funding from a New Jersey Historic Sites grant, which is now considered complete. The next phase of the project is underway and will be utilizing the recommendations made in the preservation plan to rehabilitate historic Fenwick Manor.

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.

3.3 PINELANDS DEVELOPMENT CREDIT (PDC) PROGRAM

Activity	Monthly Total	Calendar Year to Date
PDCs Allocated	0	0.75
PDCs Severed	0.25	0.25
Acres Protected	11.59	11.59
PDCs Extinguished	0	0
Acres Protected	0	0
PDCs Sold	0.25	3.75
Average Sales Price per PDC	\$70,000	\$74,267
Average Sales Price per right	\$17,500	\$18,567
PDCs Redeemed	5.00	7.75

Notable Activity:

- **Severances:** 0.25 PDCs were severed from a parcel in Tabernacle Township’s Agricultural Production Area, permanently protecting 11.59 acres.
- **Redemptions:** 5.0 PDCs (20 rights) were redeemed for Phase 1 of a redevelopment project in Winslow Township’s Regional Growth Area. Phase 1 consists of 46 single-family detached dwellings, 34 townhomes and three lots for future commercial development.
- The Executive Director participated in an interview on February 29, 2024 about the PDC program as part of a study being conducted by the UC Berkeley Center for Law, Energy and the Environment on behalf of the California Air Resources Board. The study is focused on examining the extent to which transfer of development rights could be an effective tool in advancing California’s climate goals through accelerated housing production and land conservation.

3.4 SPECIAL PROJECTS

- **Pinelands Management Area Boundary Assessment:** Staff completed the assessment of need for management area boundary changes to address the impacts of climate change related to increased fire hazard, inland flooding, and sea level rise. The assessment indicated that no changes to management area boundaries would be appropriate because existing CMP regulations and/or land preservation programs provide protection from the identified hazards. However, recommendations to consider additional permanent land protection acquisition target areas, special wetlands buffer standards for limited areas, and other local zoning tools were presented to and endorsed by the Climate Committee at its February 14, 2024 meeting.

- **Permanent Land Protection Summit:** The second annual Summit has been scheduled for April 4th. Presentations will cover NJDEP funding rule amendments, the New Jersey Conservation Blueprint, Pinelands Conservation Fund (PCF) stewardship monitoring, and roll-out of the PCF land acquisition grant request for projects. “Save-the-date” emails were sent to partners for this invitation-only Summit.
- **Local Conformance Tracking/Zoning System:** Land Use Programs and MIS staff continued working on the creation of an integrated Local Conformance Tracking/Zoning System that will combine and enhance multiple internal (Commission) software applications and processes related to the municipal master plan and ordinance conformance process. This system will eliminate redundancies, increase workflow efficiency, and provide advanced reporting and analytical tools for planning and application review purposes.

4 REGULATORY PROGRAMS

4.1 APPLICATION ACTIVITY

Activity	Monthly Total	Calendar Year to Date
Pre-Application Conferences	8	12
Certificates of Filing	24	30
Public Development Reports	2	3
Forestry Certificates of Filing	0	0
PDC Letters of Interpretation	0	2
Non-PDC Letters of Interpretation	0	1
MOA Consistency Determinations	1	2
Review of Agency Determinations	54	98

4.2 NOTABLE APPLICATIONS

- **Road Removal, Lacey Township (New Jersey Department of Environmental Protection, App. No. 1998-0039.003):** On January 29, 2024, the Commission received an application from the NJDEP, Division of Fish and Wildlife proposing the removal of approximately 1,600 linear feet of an existing dirt road in the Greenwood Forest Wildlife Management Area. The road is located in the Pinelands Preservation Area District. A culvert associated with the existing dirt road is serving as a “pinch point” for beavers to build a dam. The resulting upstream flooding is impacting the environmentally sensitive Webbs Mill Bog. By letter dated February 27, 2024, the Commission staff advised that the required application fee must be submitted and provided some initial guidance regarding the need to address any upstream wetland impacts that may be associated with removal of the existing dirt road and associated culvert that are functioning as a

small dam. Upon receipt of the required application fee, the Commission staff will further review the submitted application.

- **Demolition of a Building, Tabernacle Township (James Songhurst, App. No. 2017-0223.001):** On November 22, 2023, the Commission received an application proposing the demolition of a portion of a log cabin style building, 50 years or older. The building is located on a one-acre lot in a Pinelands Agricultural Production Area. The submitted information indicates that the building is a single family dwelling. The portion of the building proposed to be demolished is believed to have been built in the 1920's. An approximately 264-square-foot portion of the building is proposed to remain. Preliminary information indicates that the 264-square-foot portion of the building proposed to remain was constructed in the late 1700's or early 1800's. A cultural resource survey was completed for the application. The cultural resource survey identified the 264-square-foot portion of the building as a significant historic resource. A Certificate of Filing was issued on February 7, 2024 for the proposed demolition of the portion of the building believed to have been built in the 1920's. The Certificate of Filing noted the need for the Township to issue a Certificate of Appropriateness for the approximately 264-square-foot portion of the building that is proposed to remain. The Certificate of Appropriateness must specify the proposed treatment of the significant historic resource. The Certificate of Filing indicated that preservation in place appeared to be the appropriate treatment of the significant historic resource.
- **Solar Facility, Shamong Township (CEP Renewables, App. No. 1982-2735.001):** On February 14, 2024, the Commission staff received a request for a pre-application conference for a proposed solar facility on a 17.05 acre lot. The lot is located in a Pinelands Rural Development Area. The proposed solar facility will occupy approximately 9 acres and generate 4 megawatts of electricity. On February 20, 2024, the preapplication conference was conducted. The Commission staff is awaiting receipt of an application for the proposed solar facility.
- **Improvements to an Existing Agricultural Access Driveway, Pemberton Township (App. No. 1983-9180.004):** On February 7, 2024, the Commission received a report that improvements were being undertaken to an existing driveway that provides access to an agricultural operation. The parcel is located in a Pinelands Agricultural Production Area. On February 9, 2024, the NJDEP issued a violation letter to the property owner regarding the filling of wetlands on the parcel. On February 9, 2024, Pemberton Township issued an email directing the property owner to cease and desist the activities associated with the driveway improvements. On February 21, 2024, the Commission staff issued a letter to the property owner indicating that any widening of the existing driveway would be inconsistent with the wetlands protection standards contained in the Pemberton Township land use ordinance and the CMP. The February 21, 2024 Commission staff letter also indicated that although the CMP provides that improvements to an agricultural structure, including a driveway, do not require application to the Commission, the proposed driveway improvements must still meet the wetlands protection standards of the Township land use ordinance and the CMP. The February 21, 2024 Commission staff letter further indicated that in 1993 the NJDEP and the Commission entered into a Memorandum of Agreement (MOA) regarding the enforcement of the New Jersey Freshwater Wetlands Protection Act Rules in the Pinelands Area. That MOA provides that the NJDEP is primarily responsible for the investigation of alleged wetlands violations for development in the Pinelands Area that does not otherwise require application to the Commission. The February 21, 2024 letter also indicated that is the Commission staff's understanding that fill/soil material was

brought to the parcel for the purposes of improving the driveway. The Township land use ordinance and the CMP do not permit the placement of fill/soil material on a parcel that would result in the degradation of water quality. If any fill/soil material placed on the parcel contains contaminants that would degrade surface or groundwater, it must be removed from the parcel.

- **Communications Tower, Washington Township (Applicant: Lower Bank Volunteer Fire Company, App. No. 2022-0069.001):** On May 3, 2022, an application was initiated with the Commission for the proposed installation of a communications tower on a parcel containing the Lower Bank Volunteer Fire Company. The proposed tower is located in the Pinelands Village of Lower Bank. The application appeared to propose a tower for an AT&T FirstNet antenna. At that time, it was unclear whether the tower was proposed as an accessory use to the existing firehouse or as a principal use. On June 15, 2022, the Commission staff issued a letter to the applicant requesting information to complete the application. On March 24, 2023, information responding to the staff's June 15, 2022 letter was submitted. By letter dated May 22, 2023, the Commission staff advised of the information necessary to complete the application, including two of the items originally requested in the staff's June 15, 2022 letter. On July 20, 2023, the applicant submitted additional information regarding the application. On September 11, 2023, the Commission issued a Certificate of Filing for the proposed installation of a communications tower accessory to the Lower Bank Volunteer Fire Company. On February 14, 2024, the Commission received notice of the Township Planning and Zoning Board approval of the proposed communication tower. By letter dated February 26, 2024, the Commission staff requested that certain additional information associated with the Township's approval be submitted to the Commission. The applicant responded to that request on February 28, 2024 and the submitted information is currently under review.
- **Communications Tower, Dennis Tower (Township Board of Education, App. No. 1988-0097.007):** On December 26, 2023 and January 2, 2024, information was submitted to the Commission on behalf of the Dennis Township Board of Education, proposing a 100 foot tall emergency services communication tower at the Dennis Township Elementary School. The proposed communications tower would be located in the Pinelands Village of Dennisville. The submitted information indicated that the proposed tower would be utilized for emergency communications by the Dennis Township School District and Dennis Township. The submitted information requested a determination whether the proposed tower is exempt from application to the Commission. By letter dated February 16, 2024, the Commission staff advised that regardless of whether the proposed communication tower did or did not require application to the Commission, the proposed communications tower must still meet the permitted use and environmental standards of the Township land use ordinance and the CMP. The Commission staff's February 16, 2024 letter further indicated that for a communications tower to be a permitted principal use, it must be located in a Pinelands Town, a Pinelands Regional Growth Area or be included in a Pinelands Commission approved comprehensive plan for local communications facilities in the Pinelands Area. This proposed tower would be located in a Pinelands Village and is not included in any Commission-approved comprehensive plan. The Commission staff's February 16, 2024 letter further indicated that for the proposed communications tower to be permitted, it would need to qualify as an accessory use to the existing elementary school on the parcel. To determine whether the proposed tower qualifies as an accessory use to the existing school, the February 16, 2024 letter requested the submission of additional information. On February 27, 2024, additional information was submitted. That information is currently under review.

- **New Municipal Building, Tabernacle Township (Applicant: Tabernacle Township, App. No. 1993-0010.002):** On February 28, 2022, the staff conducted a pre-application conference with representatives of the Township to discuss possible sites for a new municipal complex. By letter dated March 9, 2022, the staff provided written guidance to the Township on three potential municipal complex sites. On May 1, 2023, the Commission staff conducted a pre-application conference with representatives of the Township in anticipation of the Township's application to develop a new municipal building on a 20-acre parcel fronting on Carranza Road. The parcel is located in the Pinelands Village of Tabernacle. On January 16, 2024, the Township submitted an application for a new municipal building on that parcel. On February 9, 2024 and February 15, 2024, a revised plan and the required application fee were submitted to the Commission. The application is currently under review.
- **Stormwater Management Basins, Barnegat Township (Applicant: Paramount, App. No. 2001-0245.003):** This application, approved by the Commission in 2000, proposed the development of 563 single family dwelling units on a 368 acre parcel in a Regional Growth Area. Approximately 330 of the 563 single family dwellings have been constructed. Based on available information, two stormwater basins on the parcel are not functioning as designed. This constitutes a violation of the stormwater management standards of the Barnegat Township land use ordinance and the CMP. After discussion of the matter with the Barnegat Township Engineer, staff sent a letter to the developer on December 28, 2023 summarizing the situation and asked that the Township Construction Office refrain from issuing building permits for any of the remaining dwellings in this development until the stormwater management issue was addressed. By letter dated January 24, 2024, the applicant submitted a schedule to the Township and the Commission for preparation and implementation of a stormwater management basin remediation plan. On February 23, 2024, a copy of the proposed stormwater management basin remediation plan was submitted to the Commission. That submission is currently under review.
- **Lake Herbiciding, Hammonton (Applicant: Town of Hammonton, App. No. 1989-0573.006):** This application proposes the herbiciding of Hammonton Lake. The lake is located in the Pinelands Town of Hammonton. By letter dated May 22, 2023, the Commission staff advised the applicant of the potential presence of certain threatened and endangered (T&E) plants species in Hammonton Lake. The Commission staff letter required the applicant to complete a T&E plant species survey to determine whether the concerned T&E plant species were present in Hammonton Lake. Alternatively, the applicant could provide information demonstrating that even if the T&E plants species were present in the Lake, the proposed herbiciding would not have an irreversible, adverse impact on any local populations of the concerned T&E plants. On September 19, 2023, the applicant submitted a T&E plant species survey. The survey confirmed the presence of two T&E plant species in Hammonton Lake. On October 9, 2023, the applicant submitted supplemental information. By letter dated October 31, 2023, the Commission staff provided guidance to the applicant and indicated that information must be submitted to the Commission demonstrating that the proposed herbiciding would not have an irreversible, adverse impact on the local populations of the two identified T&E plants. On November 22, 2023, Hammonton submitted information responding to the Commission staff's October 31, 2023 letter. By letter dated December 22, 2023, the Commission staff identified the information necessary to complete the application. That letter also identified the need for either the applicant to provide additional herbiciding expertise or the Commission could require the applicant to post an escrow enabling the Commission staff to retain such expertise. On January 11, 2024 and January 12, 2024, Hammonton submitted additional information regarding the

proposed herbiciding of the Lake. On January 25, 2024, the Commission staff met with members of the Town Council, the Mayor and other representatives of Hammonton to discuss the matter. The discussion focused on the proposed use of a post emergent herbicide, the method of herbicide application and how the subsurface mobility (drift/migration/dispersal) of the proposed herbicide would be controlled. The Commission staff advised the meeting attendees that the Commission staff would be further discussing the subsurface mobility of the proposed herbicide with the NJDEP staff in the Bureau of Pesticides. On February 6, 2024, Hammonton submitted a revised plan to the Commission. During the month of February 2024, the Commission staff consulted with the NJDEP Office of Natural Lands Management regarding the protection of T&E plants, the NJDEP Bureau of Pesticides regarding herbicide mobility, the Rutgers Agricultural Experiment Station, Pest Management Office Program regarding herbicide mobility and the applicant's consultant, all in an effort to assist Hammonton with developing an herbiciding proposal that will meet the T&E plant protection standard of the CMP. As of February 29, 2024, such a plan had not been developed and the Commission staff was continuing to work with the Town.

- **Singer House, Medford Township (Applicant: Affordable Homes Group, App. No. 1987-0055.005):** On November 21, 1991, the Commission approved a Certificate of Appropriateness with specific conditions that required the preservation in place of a significant historic resource known as the Singer House. The Singer House is located in a Pinelands Regional Growth Area. On January 3, 1992, the Pinelands Commission approved a Report on an Application for Public Development for the development of the Medford Township Public Safety Building located on the same lot as the Singer House. That Commission approval reiterated the conditions of the Certificate of Appropriateness requiring the stabilization and preservation in place of the Singer House. The conditions for the stabilization and preservation in place of the Singer House have not been met. The Singer House is currently privately owned. On June 8, 2023, the Commission staff met with the current owner of the Singer House to discuss the proposed demolition of the house. The current owner represented that the Singer House has deteriorated to the point where preservation in place is no longer feasible. The owner was advised at that meeting of the need to apply to the Commission for the proposed demolition of the Singer House. As part of that application, it must be demonstrated why the requirements of the November 21, 1991 Certificate of Appropriateness were not met and why the Singer House cannot be rehabilitated and preserved in place. On July 7, 2023, the Commission received an application proposing the demolition of the Singer House. By letter dated August 18, 2023, the Commission staff advised the current owner of the information necessary to complete an application for demolition. The requested information included construction cost estimates that address the feasibility of renovation/rehabilitation of the Singer House for possible different proposed uses (e.g. office, residential). On October 25, 2023, a prospective buyer of the Singer House requested that the Commission staff provide guidance regarding how to proceed with an application for renovation/rehabilitation and the establishment of three affordable dwelling units in the Singer House. By email dated October 30, 2023, the Commission staff provided information to the prospective buyer regarding the extensive regulatory history of the Singer House and the regulatory requirements that the buyer must address in renovating/rehabilitating the Singer House to address its historic significance. The potential buyer submitted additional questions by email dated November 14, 2023 and November 28, 2023. By letter dated December 11, 2023, the Commission staff summarized the extensive application history of the Singer House and provide guidance to the potential buyer. By email dated December 27, 2023, the potential buyer submitted additional questions and requested the opportunity to make a presentation to the

Commission. By email dated January 31, 2024, the Commission staff advised that the applicant that the Singer House is a Pinelands designated historic resource and it was unclear to the Commission staff why the applicant was currently only reviewing the proposed renovation of the Singer House with the NJDEP, State Historic Preservation Office. The Commission staff has scheduled a meeting with the staff of the NJDEP, State Historic Preservation Office on March 4, 2024 to discuss and coordinate the proposed renovations of the Singer House. On February 27, 2024, the Commission staff received a request from the Township to meet and discuss the requirements for the renovation/rehabilitation of the Singer House. That meeting is scheduled for March 11, 2024.

4.3 OFF-ROAD VEHICLE EVENT APPROVALS

- **Application # 1988-0071.043**
South Jersey Enduro Riders, Inc.
Approval Issued: 2/20/2024
Event Name: Ice Breaker Dual Sport
Event Date: February 25, 2024
Municipality: Manchester Township, Pemberton Township, Woodland Township
Lands Utilized: Brendan T. Byrne State Forest
Route Length: 57 miles

5 SCIENCE

5.1 ENVIRONMENTAL MONITORING

- **Water Level Monitoring:** In February, Communications staff measured water levels at 43 forest plots and 30 ponds in the Commission network of long-term monitoring sites. This work is completed each month with assistance from the Communications Office.
- **Rare Snake Monitoring:** In February, Science staff constructed corrals around new snake hibernacula discovered in 2023. Staff received a scientific collecting permit from the New Jersey Department of Environmental Protection Endangered and Nongame Species Program staff to continue its snake monitoring program in 2024.

5.2 LONG TERM STUDIES

- **Box Turtle Study:** In February, Science staff checked on radio tracked box turtles at their overwintering locations. Staff continued to work with the New Jersey Forest Fire Service to coordinate prescribed burning where there are clusters of radio tracked turtles.
- **Snake Fungal Disease Monitoring:** Science staff continue to collaborate with researchers at Virginia Tech to swab Pinelands snakes for snake fungal disease. Staff obtained supplies for the upcoming spring snake emergence.

Staff also continue to collaborate with Rutgers University and Herpetological Associates researchers to swab snakes for fungal disease. In February, a series of pine snake hibernacula that have been studied for decades were excavated and all snakes found in the hibernacula were weighed, measured, and swabbed for fungal disease.

- **Adenovirus Study:** Science staff continue to collaborate with Rutgers University researchers to swab Pinelands snakes for adenovirus. All snakes from the hibernacula excavations were also swabbed for adenovirus.

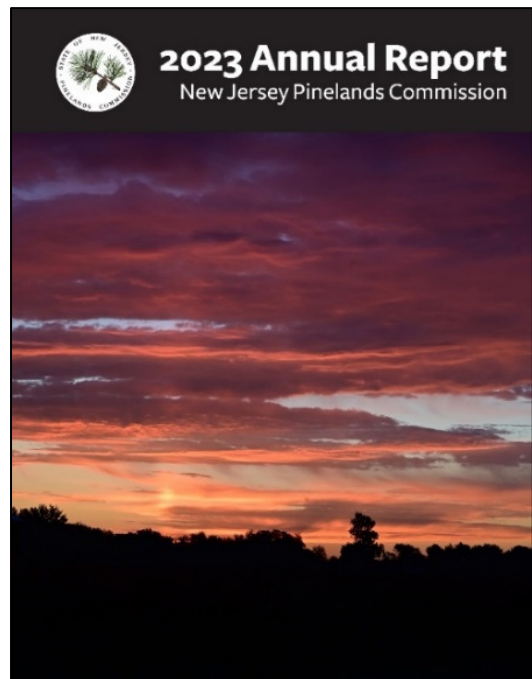
5.3 OTHER

- The New Jersey State Wildlife Action Plan identifies priority actions that can be implemented over the next five to ten years to address the threats facing wildlife populations and their habitats in the state. Science staff continued to participate in the 2025 State Wildlife Action Plan revision by voting individually for human activities that are thought to be the greatest threats to New Jersey wildlife and also wildlife in the Pinelands.

6 COMMUNICATIONS

6.1 COMMUNICATIONS & PUBLICATIONS

- **Inquiries/Correspondence:** The Communications Office received and responded to approximately 96 inquiries from the public in February, including phone calls, e-mails, and media inquiries.
- **Website:** Commission staff made routine edits to the website in February.
- **Annual Report:** Throughout February, staff generated data, gathered information, wrote, designed, edited, and finalized the Commission's 2023 Annual Report. The Commission will consider a resolution to approve the 31-page report during its regular meeting on March 8, 2024.
- **Pinelands-themed Merchandise:** Staff processed three orders/sales of Pinelands-themed merchandise via the Commission's online store and at the agency's office in February. All of the proceeds from sales and donations benefit the Kathleen M. Lynch-Van de Sande Fund for the Reforestation of the New Jersey Pinelands. The fund was established in memory of Ms. Lynch-van de Sande, a Pinelands Commission Environmental Specialist who died in a car accident in June 1989. It funds projects



that support or promote the use of native plants in the Pinelands.

- **Social Media Enhancements:** In February, staff shared 129 photos and five videos on the Commission’s Instagram site and 89 tweets and retweets on X (formerly known as Twitter).



Above: Commission staff shared 129 photos on Instagram in February, including this photo of a prescribed burn that the New Jersey Forest Fire Service conducted in Wharton State Forest. The photo was taken from a far distance and with a long lens.

6.2 EVENTS, OUTREACH & INTERPRETIVE PROGRAMS

- **Pinelands Short Course:** Staff spent much of February promoting and preparing to staff the 35th annual Pinelands Short Course, which will be held at Stockton’s main campus on March 9, 2024. The event will feature 30 presentations, including 14 new programs. More than 490 people have registered to attend the event.
- **Pinelands Municipal Training Session:** Staff spent much of February planning a new training session that will be held for zoning officers and all other municipal staff members who are involved with the land development process in the Pinelands.
- **Education Programs:** A member of the Communications Office educated a total of 40 people while delivering a presentation on Pinelands flora and fauna for the Whiting Village IV Ladies Club on February 1, 2024.
- **Barneгат Bay Coordination:** A member of the Communications Office chaired the Barneгат Bay Communication and Education Committee on February 29, 2024.

- **Science Office Assistance:** A member of the Communications Office assisted the Science Office with the installation of snake corrals on February 15, 21, and 22nd and with the excavation of snake dens on February 26, 2024.

7 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 is working with the Regulatory Programs office to ensure the proper delegation behavior was being followed in the PCIS system. Staff supported the reporting of the PCIS data for the Commission's 2023 Annual Report.
- **Geographic Information Systems:** Geographic Information Systems (GIS) allow the Pinelands Commission to manage, analyze, and map relevant data. Staff worked to migrate users to ArcGIS Pro and upgraded the Pinelands license manager to complete the shutdown of older hardware. Staff coordinated with ESRI Support to address bugs that arose during this transition. Staff also supported the Planning Office by updating GIS layers to reflect revised zoning boundaries and Acquisition Target Areas.
- **Cybersecurity:** Vigilance to protect the internal networks, hardware, and data of the Pinelands Commission is critical in today's networked world. The Information Systems office participated in the monthly call hosted by the New Jersey Cybersecurity & Communications Integration Cell (NJCCIC). Staff regularly advised users on proper response when they suspected they were victims of phishing or other attempts to infiltrate the Pinelands Commission's systems.
- **Conformance Tracking/Zoning system:** Staff worked with the Planning Office to improve the new SQL Server database that will act as a foundation for the new system through iterative steps of data evaluation and data cleansing. Staff continued to develop the new application interfaces to provide access to the zoning data from the intranet.
- **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 ongoing operational support to the PDC Bank.
- **Permanent Land Protection (PLP) Data System:** The PLP system manages the data related to all the preserved land in the Pinelands National Reserve. Staff supported the Planning Office in maintaining PLP records.
- **Technology Enhancements:** Staff members continually evaluate emerging technologies for how they can impact or enhance the office environment. Staff continued the required migration of legacy data and Oracle database to new servers. Oracle support was consulted on the best approach for migrating the existing data. Staff continued to work with Verizon on their project to relocate network services from Fenwick Manor to the Richard J. Sullivan building and the new network switch was brought online and tested.

8 BUSINESS OFFICE

8.1 FINANCIAL MANAGEMENT

- **Application Fees:** February 2024, Net Total: 106,803.01, Fiscal Year to Date Total: \$626,573.64. This is 89.51% of the Fiscal Year 2024 anticipated fee revenue of \$700,000. The net total includes 24 online application payments totaling \$14,206.93.