



# **NEW JERSEY PINELANDS COMMISSION**

## **MONTHLY MANAGEMENT REPORT**



Sunflowers blooming on a farm in Hammonton, Atlantic County

**JULY 2020**

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# 1 EXECUTIVE OFFICE

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## 1.1 EXECUTIVE DIRECTOR

### 1.1A RULEMAKING

- **Septic System Pilot Program:** The Commission's rule proposal was published in the July 20, 2020 edition of the New Jersey Register and was distributed to all Pinelands municipalities, counties, the Pinelands Municipal Council and other interested parties. A public hearing will be held (remotely) on September 2, 2020.
- **Stormwater Management:** Inter-office staff discussions of the New Jersey Department of Environmental Protection's (NJDEP) recently adopted stormwater regulations and their relationship to CMP stormwater standards continued in July. Staff researched green infrastructure costs and requirements, particularly as they relate to minor development (1-4 homes). On July 30, 2020, staff participated in the NJDEP's Stormwater Rules Stakeholder Group meeting to review and discuss additional proposed regulatory changes.
- **Kirkwood/Cohansey Water Supply:** Staff completed a second draft of Pinelands Comprehensive Management Plan (CMP) amendments and identified remaining questions. Staff reached out to NJDEP with a proposal for future review of Kirkwood/Cohansey well applications and is awaiting a response to our request for a meeting.

## 1.2 LEGAL AND LEGISLATIVE AFFAIRS

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

#### STATE:

#### NEW JERSEY NATURAL GAS APPEALS

- **I/M/O New Jersey Natural Gas Application for The Installation and Operation of The Southern Reliability Link, Docket No. A-000925-17T1:** On July 17, 2020, the Sierra Club of New Jersey (Sierra Club) filed a Motion to Supplement the Record, R. 2:5-5, and for a Stay, R. 2:9-7 in its appeal of the Commission's approval of the portion of the New Jersey Natural Gas Company's Southern Reliability Link project to be constructed in the Pinelands. On July 24, 2020, the Pinelands Preservation Alliance (PPA) filed a letter with the Appellate Division seeking to join Sierra's motion. On July 27, 2020, both the Commission and New Jersey Natural Gas filed separate briefs in opposition to Sierra's motion; arguing lack of irreparable harm given all major construction on the portion of the gas transmission line in the Pinelands Area, and thus all horizontal directional drilling, were completed in January 2020. Following the Appellate Division's rejection of PPA's joinder letter, PPA filed a motion to intervene in Sierra's appeal on July 28, 2020.

### 1.2B OPEN PUBLIC RECORDS ACT (OPRA)

- Staff responded to 13 OPRA requests received in July. Of the 13 requests, eight requests received responsive material, two requests received no responsive material or were too broad, and three requests were advised that staff will provide copies of any paper records once the Commission’s Offices reopen.

### 1.3 HUMAN RESOURCES

- **Training:** Staff participated in the following Employee Advisory Services webinars: “How to Transition into the New Normal” and “How to Effectively Supervise Remote Employees”.
- **NJ Well:** Staff participated in the NJ Well Webinar: “What to Expect Next-Restarting our Personal Lives”.

## 2 INTERAGENCY COORDINATION

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- **State Planning Commission:** Staff met with the Executive Director of the State Planning Commission and other staff from the Office of Planning Advocacy, as well as NJDEP staff, to discuss Berkeley Township’s request for a change to the State Plan Map in the Pinelands National Reserve. The Township has requested that approximately 10 acres of land be redesignated from the Environmentally Sensitive planning area (PA-5) to the Suburban Planning Area (PA-2) to accommodate the final phase of a larger redevelopment that involves affordable housing. The land in question is designated as a Regional Growth Area on the Pinelands Land Capability Map.

## 3 PLANNING

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### 3.1 CONFORMANCE ACTIVITY

	Monthly Total	Calendar Year to Date
Ordinances/Master Plans Received	10	52

#### Notable Ordinances:

- **Randevco Redevelopment Plan:** On July 21, 2020, Winslow Township submitted a draft redevelopment plan for approximately 84 acres of land on Route 73 in the Regional Growth Area. The plan permits up to 600 residential units, as well as commercial uses, and calls for establishment of Main Street Mixed Use Overlay District. Staff is preparing comments and suggestions for the Township’s consideration.
- **Whiting Landfill Redevelopment Plan:** Manchester Township adopted a redevelopment plan for the Whiting Landfill property on July 13, 2020 and submitted it to the Commission for review and approval on July 21, 2020. The landfill is located in the Preservation Area District. The Redevelopment Plan is intended to facilitate

development of a large, community solar facility. Staff initiated the Commission’s formal review process and scheduled a public hearing for September 2, 2020.

### 3.2 CULTURAL RESOURCE ACTIVITY

Activity	Monthly Total	Calendar Year to Date
Applications Reviewed	9	54
Surveys Required	1	3
Surveys Reviewed	1	5
Certificates of Appropriateness Required	0	3

### 3.3 PINELANDS DEVELOPMENT CREDIT (PDC) PROGRAM

Activity	Monthly Total	Calendar Year to Date
PDCs Allocated	0.50	11.53
PDCs Severed	0	0
Acres Protected	0	0
PDCs Extinguished	0	1.50
Acres Protected	0	95
PDCs Sold	1.00	10.00
Average Sales Price per PDC	\$35,500	\$39,400
Average Sales Price per Right	\$8,875	\$9,850
PDCs Redeemed	0.25	7.75

**Notable Activity:**

- 0.50 PDCs (2 rights) were allocated in July 2020, including 0.25 PDCs to a 18.11 acre parcel in Pemberton Township’s Agricultural Production Area and 0.25 PDCs to a 10.91 acre parcel in Hamilton Township’s Agricultural Production Area.
- 0.25 PDCs (1 right) were redeemed in July 2020 for a large residential project (194 single-family detached units) in Egg Harbor Township.

### 3.4 SPECIAL PROJECTS

- **Septic Pilot Program:** Staff completed a draft of the Annual Report on the pilot program for distribution to the Commission in early to mid-August.

### 3.5 OTHER ITEMS OF INTEREST

- **Monroe Township Water Use Report:** The Township Municipal Utilities Authority submitted and staff reviewed its regular monthly sewerage and water use report. The report documents ongoing compliance with the limits on exporting water out of the Pinelands via a sewer system.
- **Journey Through Jersey:** The New Jersey Historic Trust accepted the Commission’s application to include Fenwick Manor on the State’s “Journey through Jersey,” which features a wide variety of historic sites: <https://www.journeythroughjersey.com>

## 4 INFORMATION SYSTEMS

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- **Support Governor Murphy’s Stay-at-Home Executive Order:** Information Systems staff continued to support the Commission staff to facilitate uninterrupted services while working from home.
- **Pinelands Commission Information System Upgrades:** Staff continued to implement enhancements and bug fixes as needed to enable uninterrupted operation. Staff implemented a new interface to manage public comment documents.
- **Windows 10 and Office 365 Migration:** Staff continued to deploy Windows 10 desktops. Staff began migrating local user data to cloud-based OneDrive to ultimately replace local network file sharing.
- **Permanent Land Protection (PLP) Data System:** Staff continued preparing data for the Permanent Land Protection Annual Report. Staff continued to research recent parcel transactions.
- **PDC Bank:** Staff provided support for transactions and reporting for the PDC Bank, including preparing tables, charts, and maps for the 2020 PDC Bank Annual Report.
- **GIS Upgrades:** Staff upgraded the GIS server platform to ESRI 10.7 and revised Pinelands data layers to reflect the most recent information.
- **Threatened and Endangered Species (T&E) Data:** Staff coordinated with Regulatory Programs staff to review the Commission’s Threatened and Endangered (T&E) data recording processes. Staff updated T&E GIS data with updated sighting data.

## 5 REGULATORY PROGRAMS

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### 5.1 APPLICATION ACTIVITY

Activity	Monthly Total	Calendar Year to Date
Pre-Application Conferences	11	83
Certificates of Filing	14	108
Public Development Reports	3	17
Forestry Certificates of Filing	1	18
PDC Letters of Interpretation	2	8
Non-PDC Letters of Interpretation	0	1
MOA Consistency Determinations	4	29
Review of Agency Determinations	78	449

### 5.2 NOTABLE APPLICATIONS

- **App. No. 1982-2787.003:** On July 29, 2020, the Commission's Executive Director, after consultation with the Commission Chairperson, issued a letter authorizing Monroe Township to begin the construction of a 4,550 square foot addition to a municipal firehouse. The authorization was based upon the provision in the Pinelands Comprehensive Management Plan that authorizes the Executive Director to take whatever action is necessary to prevent danger to life, health or safety. The application for the proposed firehouse addition is on the Commission's August 14, 2020 agenda for public comment.
- **App. No. 1980-0073.007:** On July 2, 2020, staff conducted a pre-application meeting regarding the construction of a floating solar energy facility on an existing resource extraction pond in Lacey Township.
- **App. No. 1981-0162.002:** On July 27, 2020, the Commission issued a Certificate of Filing for the construction of a 120 foot high local communication tower accessory to an existing fire company in Chatsworth, Woodland Township.
- **App. No. 1987-0411.010:** On July 31, 2020, staff issued a letter to Pemberton Township requesting additional information to complete an application for the installation of 8,000 linear feet of sanitary sewer main within the Fort Dix Road right-of-way in Pemberton Township. The proposed sewer main would service two existing schools located in a Pinelands Rural Development Area and would also traverse a Pinelands Rural Development Area and a Pinelands Agricultural Production Area. The installation of sanitary sewer mains within a Rural Development Area and Agricultural Production Area is only permitted if there is a document public health problem. The July 31, 2020 Commission staff letter asks for information related to the public health problem.

- **App. No. 1987-1183.015:** In response to an application received on June 24, 2020, staff issued a letter requesting certain information to complete an application for a change of use of an existing automobile raceway to a commercial automobile auction facility. Upon completing an application with the Commission, the applicant will proceed to Waterford Township to pursue all necessary permits and approvals.
- **2015-0014.001:** The Commission staff received an application and supplemental information from Atlantic City Electric (ACE) in late June 2020 proposing the replacement of existing electric transmission poles within 3.78 miles of ACE right-of-way located in the City of Port Republic and Bass River Township. By letter dated August 3, 2020, staff requested certain information to complete the application.

## 6 SCIENCE

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### 6.1 ENVIRONMENTAL MONITORING

- **Water-level and Water-quality Monitoring:** Staff measured water levels at forest plots and ponds and replaced the desiccant at the seven ponds and one forest well outfitted with continuous water level recorders. The desiccant prevents moisture from ruining the electronic data recorders, which are installed inside heavy metal pipes.

### 6.2 LONG TERM STUDIES

- **Microorganism Study:** The goal of this EPA funded study is to compare water quality conditions, macroinvertebrates (aquatic insects mostly), zooplankton (microscopic animals), phytoplankton (microscopic plants), and diatoms (microscopic algae with a silica shell) at 20 natural ponds, 20 excavated ponds, and 20 stormwater basins. Commission scientists completed sample collections at all natural ponds, excavated ponds, and stormwater basins selected to be sampled in 2020. An exceptionally dry spring resulted in relatively low water levels at many study sites this year. Heavy abuse by off-road vehicles may have impacted samples collected at one of the natural ponds. Water quality samples are currently being analyzed by USGS scientists and collections of macroinvertebrates, zooplankton, phytoplankton, and diatoms are being identified by collaborating taxonomists. All field sampling for the three-year study has been completed.





**Above:** An example of a stormwater basin sampled as part of the Microorganism Study.



**Above:** Samples may have been impacted by off-road vehicle abuse in this natural Pinelands pond location in Atlantic County.

## 7 COMMUNICATIONS

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### 7.1 COMMUNICATIONS & PUBLICATIONS

- **Website Activity:** The Pinelands Commission’s website received a total of 13,733 page views in July 2020.
- **Inquiries/Correspondence:** The Communications Office received and responded to 171 inquiries from the public, including phone calls, e-mails, and media inquiries.

### 7.2 EVENTS, OUTREACH & INTERPRETIVE PROGRAMS

- **Social Media Site Enhancements:** Staff continued to post new content on the Commission’s social media pages in July 2020. Staff posted 84 photographs on the Commission’s Instagram page in July after taking trips to the Dot and Brooks Evert Memorial Nature Trail, Hammonton Lake, Lake Lenape Park East and West, the Manumuskin River, the Mullica River, Nescochague Lake, the Stafford Forge Wildlife Management Area and Wharton State Forest. The Commission has been unable to update its Facebook since late June, due to a glitch with Facebook’s two-step page authorization system. Facebook has been contacted repeatedly about the problem. (Update: Staff fixed the glitch in August.)



**Above:** In July 2020, staff took and posted 84 photographs on the Commission’s Instagram site, including this photo of local art that has appeared in the Stafford Forge Wildlife Management Area in the Pinelands.

- **Press release:** On July 15, 2020, staff researched, wrote and distributed a press release that noted the passing of former Commission Executive Director John C. Stokes. The press release was used extensively in articles that were published in the Philadelphia Inquirer and Press of Atlantic City.

- Pinelands Speaker Series Webinars:** Staff promoted and hosted five webinar presentations in July 2020. The presentations included: “Lichen the Fungus Among Us,” “Pinelands History,” “Plants of the New Jersey Pine Barrens,” “Combating Climate Change with a Jersey-Friendly Yard,” and “His Majesty’s Infernal Nuisance: The Colonial Privateers of the Mullica.” Three of the five webinars



**Above:** Three members of the Commission’s staff delivered webinar presentations in July 2020, including the webinar above.

presentations were delivered by members of the Commission’s staff. All of the webinars are livestreamed but are also recorded and available for viewing on the Commission’s YouTube channel at any time. Staff also announced the expanded schedule of webinars, which will now occur each month through August and September. The five July webinars have registered a total of more than 960 views thus far.

- Pine Barrens Byway Support:** In July 2020, Communications Office staff provided extensive comments on the latest versions of the draft Pine Barrens Byway brochures and post card. The materials are being produced by a consultant who was hired by the New Jersey Department of Transportation. Staff also sent the consultant more high-resolution photos that will be used in the brochures.
- World Water Monitoring Challenge:** In July 2020, staff notified educators that the annual, Pinelands-themed World Water Monitoring Challenge will be canceled, due to concerns about COVID-19. Teachers were also informed that Communications/Public Programs staff will be available to conduct virtual presentations for their classes in the fall. Lastly, educators were informed about the recorded Pinelands Speaker Series webinars, which could be used as an educational resource.
- Science Office Fieldwork:** Communications Office staff collected pond and well monitoring data for the Science Office on July 6-7, 2020.
- PDC Bank Annual Report:** In July 2020, Communications staff took about two dozen photos of PDC preserved properties and residential development that was constructed with the use of PDCs. The photos will be incorporated into the 2020 PDC Bank Annual Report, which the Communications Office has started to design.

## **8 BUSINESS OFFICE**

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### **8.1 FACILITIES**

- All HVAC filters have been replaced (This is done annually).
- Outside grounds maintenance has resumed (No activity From March to July). Staff cut the lawn and removed branches. (This is normally done multiple times during the month).
- Routine vehicle maintenance has resumed. (This includes changing oil and replacing batteries.)

### **8.2 FINANCIAL MANAGEMENT**

- **Application Fees** : July Net Total: \$45,186.72; Year to Date Total: \$45,186.72.
- **National Park Service (NPS) Funds**: Awarded \$300,000.00 for Federal Fiscal Year 2020.