

# New Jersey Pinelands Commission



## *Annual Report 2005*



# Mission Statement *of the* New Jersey Pinelands Commission

The mission of the New Jersey Pinelands Commission is to preserve, protect and enhance the natural and cultural resources of the Pinelands National Reserve, and to encourage compatible economic and other human activities consistent with that purpose.

**Cover Photo:** A red-bellied turtle basks on a log as a kayaker paddles along Batsto Lake in the Pinelands in Washington Township, Burlington County. Photo by Paul Leakan/New Jersey Pinelands Commission

# ***New Jersey Pinelands Commission***

## **2005**

### **Gubernatorial Appointees**

Governor James J. Florio, Chairman (January-June)

Betty Wilson, Chairperson (June-December)

Candace M. Ashmun  
Robert Hagan  
Edward Lloyd

Rev. Dr. Guy Campbell  
Stephen V. Lee III

### **U.S. Secretary of the Interior's Appointee**

Robert W. McIntosh, Jr.

### **County Appointees**

#### ***Ocean County***

Alan W. Avery, Vice-Chairman (Jan.-Oct.)

John A. Haas (December)

#### ***Atlantic County***

Edward A. Wilhelm, Jr.

#### ***Cape May County***

William J. Brown

#### ***Burlington County***

Patrick Slavin

#### ***Cumberland County***

Leslie M. Ficaglia

#### ***Camden County***

Norman F. Tomaseillo

#### ***Gloucester County***

Francis A. Witt

### **Executive Director**

John C. Stokes

### **New Jersey Pinelands Commission**

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# ***CHAIRPERSON'S MESSAGE***

**I**t was with great pleasure that I began my tenure as Chairperson of the New Jersey Pinelands Commission in 2005.

The Pinelands is one of New Jersey's most cherished treasures, and I am dedicated to the Commission's mandate to protect, preserve and enhance the resources of this ecologically sensitive region.

I believe we have a duty to educate the public about the Pinelands and its unique resources. By raising awareness of this special region, we can help ensure that future generations understand why it so deserving of protection.

The Pinelands Comprehensive Management Plan is nearing its 25th anniversary, a remarkable milestone considering the inherent challenges of protecting a million-acre region in the country's most densely populated state.

The state can take pride in knowing that more than half of the land in the Pinelands is now permanently protected, and I am optimistic about the Pinelands and its future protection because of the ongoing work of Commission members, volunteers and our talented and hard-working staff.

In 2005, Commission scientists continued to lead a major study of the Kirkwood-Cohansey Aquifer, which contains 17-trillion gallons of pure water and is the lifeblood of the Pinelands. The study will help us gain a better understanding of the aquifer and how current and future water-supply needs in the Pinelands can be met while avoiding adverse impacts to the unique environment that it supports.

Also in 2005, the Commission advanced special projects such as the sub-regional conservation planning initiative for a 14,000-acre area of southern Medford and Evesham townships that is home to rare plants and animals. Similar initiatives undertaken in Jackson, Manchester and Barnegat townships resulted in the Commission's approval of expanded wildlife buffers and zoning changes devised to improve protection of the Toms River Basin.

A task force of public and private partners continued to re-examine housing projections and demand in the Pinelands Area. The Commission also began work on an innovative community planning effort in Egg Harbor Township, thanks to generous financial support from the Geraldine R. Dodge Foundation.

Meanwhile, the Commission approved a plan to direct the use and management of the \$13 million Pinelands Conservation Fund, which will support the permanent protection of land, conservation planning and research, and community planning and design initiatives.

Last but not least, the Commission adopted three amendments to the Pinelands Comprehensive Management Plan and proposed seven more amendments that will strengthen the Plan and bolster our efforts to meet the goals set forth in the Pinelands Protection Act.

I am excited about all that has been accomplished in preserving the Pinelands and look forward to working with fellow members of the Commission and units of state, local and county governments to ensure that this region is safeguarded for future generations.



Sincerely,

Betty Wilson  
Chairperson

# ***PINELANDS COMMISSION HIGHLIGHTS FOR 2005***

✍ The Commission saw two significant changes in its membership in 2005, including the appointment of a new Chairperson (See page 1)

✍ The Commission worked to halt the construction of a proposed trash transfer facility in the Pinelands (See page 20)

✍ Three amendments to the Pinelands Comprehensive Management Plan were adopted by the Commission, while seven more amendments were proposed (See pages 2-4)

✍ The Commission approved a plan to direct the use and management of the \$13 million Pinelands Conservation Fund (See page 19)

✍ A preliminary Sub-regional Resource Protection Plan was developed as part of a special conservation planning initiative in an ecologically-sensitive portion of Southern Medford and Evesham townships (See pages 4-5)

✍ Scientists continued to collect key data as part of a major Commission-led study of the 17-trillion gallon Kirkwood-Cohansey Aquifer (See page 14)

✍ Work continued to progress on the Pinelands Excellence Program, with the innovative smart-growth planning effort focusing on Egg Harbor Township, Atlantic County (See pages 7-8)

✍ The Commission successfully launched a new comprehensive data information system (See page 18-19)

✍ Following years of planning by the Pinelands Commission and representatives from a group of Pinelands municipalities, the Southern Pinelands Natural Heritage Trail was officially designated as a State Scenic Byway (See pages 6-7).

✍ The Pinelands Housing Task Force, created in 2004, continued to re-examine Pinelands housing projections and released a preliminary report on housing demand (See pages 5-6)

✍ The Commission approved expanded wildlife buffers and zoning changes devised to better protect Jackson Township's Toms River Basin (See page 9)

✍ Fenwick Manor, the historic farmstead that is home to the Commission's office complex, was fully reoccupied by the Commission's staff after the buildings underwent major renovations. (See page 17-18)

## ***A new Chairperson and new Commissioner in 2005***

2005 marked the end of an accomplished, three-year term for former Governor James J. Florio and the beginning of a new role for Betty Wilson as the Commission's Chairperson.

Florio, who served as Chairman of the Pinelands Commission from 2002 until June 2005, chose to step down at the end of his term.

Acting Governor Richard J. Codey appointed Wilson as the Chairperson of the 15-member Commission in June 2005, while also nominating her for a second term on the Pinelands panel.

Wilson, a Burlington County resident who was appointed to the Commission in 2002, brings a wealth of experience to the position.

A summa cum laude graduate of Jersey City State College (now Jersey City University), Wilson served in the New Jersey Assembly from 1974-1975. She also served as the Assistant Commissioner of the New Jersey Department of Environmental Protection (DEP) in 1976-1977 before becoming the DEP's Deputy Commissioner. During that time, she oversaw the agency's natural resource management, Pinelands policy and review process.

Wilson also was the Associate Director of Recreation Programs for the U.S. Department of the Interior in 1980, the Deputy Commissioner of the New Jersey Department of Labor and Industry in 1981 and Assistant Commissioner for Public Affairs for the New Jersey Department of Human Services from 1990-1993.

The Commission saw another change in its membership in November 2005, when longtime Commission Vice-Chairman Alan W. Avery resigned his seat as a Commissioner.

A resident of Toms River, Avery had served on the Commission since January 6, 1984 and had been the Commission's vice-chairman since 1995. Avery was appointed the Administrator of Ocean County in July 2005, a move that followed many years of service as Ocean County's Planning Director and Director of Solid Waste Management.

Avery's successor, John A. Haas, attended his first meeting as Ocean County's representative on the Commission on December 15. Haas has served as the District Recycling Coordinator in Ocean County for the past 20 years.

A resident of Seaside Park, Ocean County, Haas was appointed to the Pinelands Commission in mid-November by the Ocean County Board of Chosen Freeholders.

Haas has worked in the Ocean County Department of Planning and Solid Waste Management for the past 25 years. He also has experience as a former member of the Borough Council, Board of Education and Planning Board in Seaside Park.

Haas holds a bachelors of science degree in biology from Monmouth University and a masters of arts degree in environmental education from Rowan University. Haas is the current president of the Church Council of the Holy Cross Lutheran Church in Toms River. He also serves on the Board of Directors of the Association of New Jersey Recyclers and on the Board of Trustees of the Barnegat Bay Watershed and Estuary Foundation.

Also during 2005, Acting Governor Codey nominated Candace McKee Ashmun, Rev. Dr. Guy Campbell Jr., Stephen V. Lee III and Edward Lloyd for reappointment to the Commission.

The Pinelands Commission consists of 15 members: seven appointed by the Governor of New Jersey, one appointed by each of the seven Pinelands counties and one appointed by the U.S. Secretary of the Interior. Members of the Commission serve staggered, three-year terms and are uncompensated for their service.



**James Florio**



**Betty Wilson**



**Alan Avery**



**John Haas**

# LAND USE & PLANNING ACTIVITIES

## *Pinelands Comprehensive Management Plan Amendments*

In 2005, the Pinelands Commission adopted three amendments to the Pinelands Comprehensive Management Plan (CMP), the rules that govern land use, development and natural resource protection in the state-designated Pinelands Area. The Commission also proposed seven additional amendments to the CMP in 2005. The three adopted amendments are as follows:



The Pinelands Commission had a busy year in 2005. Photo/Paul Leakan

✍ The CMP was amended to establish the **Fort Dix Consumer Electronics Recycling Center Pilot Program**. In March 2003, the Commission became aware of a New Jersey Department of Environmental Protection-permitted consumer electronics recycling center operating at the federal prison at Fort Dix, which is within the Pinelands Military and Federal Installation Management Area. At that time, the Commission determined it would be appropriate to allow for the continued operation of the recycling center to determine whether a State decision to reclassify consumer electronics as a “recyclable” hazardous waste is appropriate for the Pinelands. Following a review, the Commission decided in 2004 that the most appropriate means of doing so was through the establishment of a pilot program. The pilot program is devised as a means to test whether continued operation of the center, if

effectively regulated and monitored, would reduce the waste stream to landfills, reduce illegal dumping, and enhance protection of Pinelands natural resources.

✍ The CMP was amended to **redesignate 4,100 acres of Lacey and Ocean townships in Ocean County from a Pinelands Rural Development Area to the more protective Pinelands Forest Area**. The change was prompted by a report issued by the Pinelands Commission’s Science Office in March 2004, which showed that the Oyster Creek and Waretown Creek watersheds display the essential ecological character of the Pinelands. Upon adoption of the CMP in 1980, more than half of the watershed was designated as a Rural Development Area. The designation was due largely to the presence of the Southern Ocean Landfill and its anticipated impacts on water quality. Since that time, significant adverse impacts from the landfill have not occurred. An analysis by the Pinelands Commission determined the new designation will result in less land disturbance, nonpoint source pollution and fragmentation of the Oyster Creek landscape.

✍ The CMP was amended to **bolster the protection of rare plant species** by incorporating the official State-promulgated list of endangered plants. The change expanded the number of protected native Pinelands plants from 54 to 92. The State list, which is maintained by the New Jersey Division of Parks and Forestry, stands at 339 plants. It was adopted pursuant to legislation passed in 1989, or nine years after the adoption of the CMP. The State list includes only the most vulnerable plants, such as globally rare plants and species with five or fewer occurrences statewide. Among the Pinelands plant species that gained CMP protection through the amendment are:

✍ Barton’s St. John’s-wort (*Hypericum adpressum*), a globally rare plant that typically occurs in vernal ponds;

☞ Sessile-leaf tick-trefoil (*Desmodium sessilifolium*), a Midwestern species with only one known remaining population in New Jersey, which is in the Pinelands;

☞ Pine Barrens bellwort (*Uvularia puberula*), another globally rare species. The only New Jersey populations are in Pine Barrens habitat.

Aside from the three CMP amendments that were adopted, the Commission proposed the following amendments in 2005, all of which will be considered for adoption in 2006:

☞ **Stormwater management:** The CMP would be amended to improve upon the New Jersey Department of Environmental Protection's (DEP) new Stormwater Management Rules, which require all municipalities to adopt municipal stormwater management plans and stormwater management ordinances, in the Pinelands. Although the Pinelands CMP has required that stormwater be recharged since 1980, the amendments would strengthen the standards for stormwater recharge, require better management of runoff from high pollutant loading areas and encourage better and more efficient stormwater basin design;

☞ **Municipal Reserves:** The CMP allows municipalities to designate municipal reserves in Pinelands-designated Regional Growth Areas (RGA) as a means to phase and plan for growth. The reserve areas are downzoned until other appropriately zoned districts that already have access to infrastructure are developed. Proposed amendments to the CMP would encourage more municipalities to use the designation to better control the pace of residential development;

☞ **Local communications facilities:** Proposed amendments to the CMP would clarify that an applicant must site a new facility, such as an antenna or a new tower, on an existing structure or a site that would have the least visual impact on important Pinelands resources. A second change sets forth a list of sites where new local communications facilities may be located in the Preservation Area District, Forest Area, Special Agricultural Production Area and Rural Development Area. A third amendment would provide the cellular communications industry and the Pinelands Commission with the flexibility to propose or require innovative ways to reduce the overall visual impact of such facilities;

☞ **Cumulative cost of waivers and lot size variances:** Amendments to the CMP would cut in half the number of Pinelands Development Credits (PDCs) required for the development of undersized lots in Pinelands Villages, Pinelands Towns and Regional Growth Areas in cases where a municipal variance and a waiver of strict compliance, or deviation from Pinelands standards, is required. Under current regulations, the development of such lots requires the purchase of one-half of a PDC, or two development rights. The proposed amendment would change the requirement to one-quarter of a PDC, a move that would significantly reduce the costs for the limited number of applicants who require relief from CMP standards and municipal requirements in order to develop undersized lots in these development areas.

☞ **Pilot program for alternate design wastewater treatment systems:** The Pinelands Commission implemented a pilot program for alternate design wastewater treatment systems in 2002 to strengthen the protection of high-quality water resources in the Pinelands by reducing pollution from residential septic systems. The advanced wastewater systems are required for new unsewered homes located on lots smaller than 3.2 acres. A proposed CMP amendment would enable developers in the Pinelands Area to install more than 10 alternate design pilot



The Sessile-leaf tick-trefoil, shown above, is one of the plants that gained additional protection under a CMP amendment. Photo: Thomas G. Barnes, USDA, Natural Resource Conservation Service.

program systems of the same technology on a single parcel, in certain limited cases.

✍ **Garden State Parkway:** The CMP would be amended to establish an overlay district along the entire length of the Garden State Parkway. The Garden State Parkway, which forms the eastern boundary of the Pinelands Area in the north and the Pinelands National Reserve in the south, is a limited access highway that was constructed by the State prior to the adoption of the CMP. The Parkway traverses multiple Pinelands management areas, serving as a major tourism roadway, the only north-south evacuation route in the southern New Jersey region, a commuter roadway and an interstate travel roadway. The Commission believes it is appropriate for the CMP to recognize this existing and important transportation corridor by developing a land use policy that may be applied consistently along the Parkway.

Under the proposed CMP amendment, permitted uses in the Garden State Parkway Overlay District are primarily limited to the roadways, bridges and accessory facilities associated with the operation and maintenance of the highway. Public service infrastructure, both underground and above-ground, also would be permitted, including communications and data transfer utilities. Local telecommunications towers also would be permitted. Additionally, existing interchanges within the overlay district could be improved and expanded, provided that they don't stimulate development in inappropriate areas. However, new interchanges are not permitted.

✍ **Fee Revisions:** In April 2004, the Pinelands Commission implemented the first application fees since the enactment of the Pinelands protection program. The fees were established to partially underwrite the direct costs associated with reviewing development applications. Fees are required only for certain development activities. The majority of applications typically received by the Commission do not require application fees. For example, fees are not charged for applications for residential development consisting of only one dwelling unit, requests for Letters of Interpretation for the allocation of Pinelands Development Credits, development applications from public agencies and Waivers of Strict Compliance.

During the notice and comment period for the Commission's initial fee schedule in 2004, the Pinelands panel received comments suggesting various revisions. At that time, the Commission noted the need for additional data to assess the suggested revisions and chose to adopt the fee schedule as proposed. However, the Commission also committed to monitor its fee structure and to propose amendments in the future, if warranted. After more than 18 months of experience in implementing the fee schedule, the Commission felt it was appropriate to take a closer look at the provisions and to propose a number of changes.

Proposed amendments to the CMP would establish a \$50,000 cap on the amount of an application fee required at the time of the submission of a development application. If expenses for reviewing an application exceed that cap, the Commission can require the establishment of an escrow account to pay for additional staff time expended to review a particularly complex application. Also under the proposed amended fee schedule, the application fee for a qualified tax-exempt religious association or corporation or a qualified tax-exempt nonprofit organization would be capped at \$500. The proposed amendments also would adjust the formula used to calculate commercial, institutional, industrial or other non-residential fees to make them more consistent with residential application fees.

### ***Southern Medford & Evesham Conservation Plan***

In 2004, the Pinelands Commission received a \$73,000 grant from the William Penn Foundation to fund efforts to develop a detailed conservation plan for the southern portions of Medford and Evesham townships.

The 22-square-mile area includes large areas designated under the Pinelands protection program for modest amounts of residential development. However, data compiled in recent years has shown that the area has significant natural resources, including undisturbed sub-watersheds, as well as rare plants and animals.

A natural resource inventory was completed in December 2004. In 2005, the project's Steering Committee, its Project Advisory Committee, and its Technical Support Group met regularly to discuss a series of specific regulatory and non-regulatory strategies that were included in a preliminary Sub-regional Resource Protection Plan

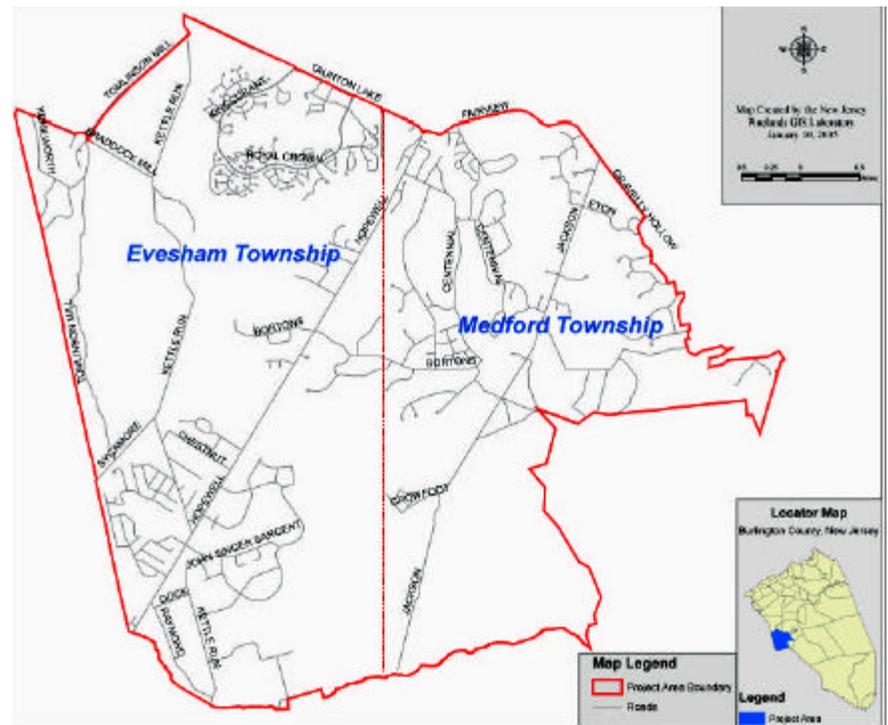
for the area.

The preliminary plan was detailed to property owners and other interested parties during three public meetings held in November and December 2005.

The strategies include eight zoning changes, land acquisition and land stewardship. For example, the preliminary plan envisions that the regulatory strategies would reduce development and disturbance levels in high-value natural resource areas. It is estimated that the future zone capacity of the project area would be reduced by 53 percent. Incentives would be created to transfer all development out of high-value natural resource areas to areas where it can be better accommodated. Under the preliminary plan, any development that does occur would be clustered, resulting in the conservation of more than 80 percent of the properties being developed.

The plan also calls for preserving numerous ecologically-sensitive parcels through acquisition, conducting surveys to locate additional rare native plant populations and encouraging efforts to protect the resources through land stewardship practices.

The project's Steering Committee was set to review the preliminary plan in 2006. After the plan is finalized, it will then be submitted to the two townships and the Pinelands Commission for their consideration.



Project Area boundary

## ***Housing Task Force***

The Pinelands Housing Task Force, which has been meeting since its creation in 2004, completed a significant amount of work in 2005. In October 2005, the group released a Preliminary Report showing that more than adequate capacity to meet future housing demand exists within and outside of the Pinelands to the year 2020.

The Pinelands Commission created the Pinelands Housing Task Force to review and update projections of housing demand within the Pinelands and to determine whether zoning capacities within and outside of the Pinelands Area were appropriate to serve demand.

The 20-person Task Force is composed of governmental and non-governmental organizations, including state, county and municipal officials, as well as representatives from the Coalition for Housing and the Environment, the New Jersey Builders Association and the Pinelands Preservation Alliance. The Task Force undertook a rigorous examination of the development demand for all of Southern New Jersey and development capacity in the Pinelands.

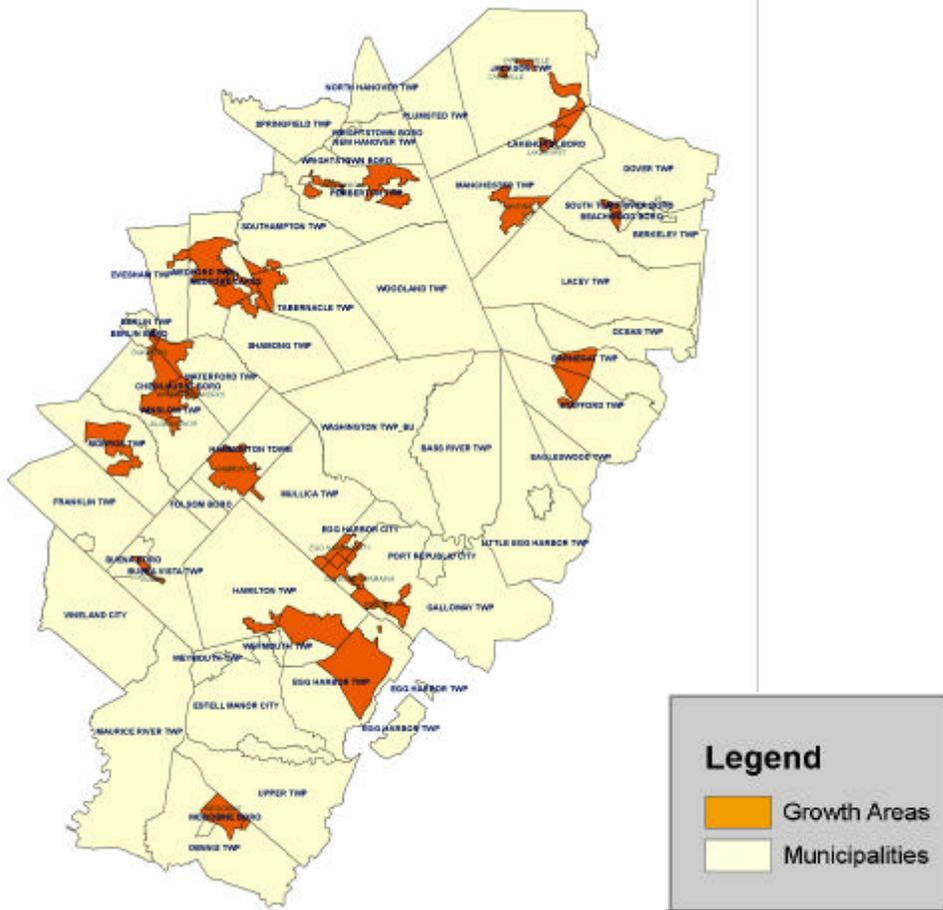
The Task Force's Preliminary Report shows that, as of 2000, there were 41,460-acres of vacant developable land within the Pinelands Regional Growth Areas, Towns and Villages within sewer services areas and a projected housing demand of 37,530 dwelling units for the period of 2000 to 2020. The housing estimates contained in the report are based upon a preliminary analysis of vacant, developable land and do not reflect development that has been constructed or approved since 2000.

The Task Force's Preliminary Report has been posted on the Pinelands Commission's Web site ([www.nj.gov/pinelands](http://www.nj.gov/pinelands)). The Commission took public comment on the preliminary report during a public meeting on December 6, 2005

in Southampton Township, Burlington County.

Once the Task Force report is finalized, the Pinelands Commission will then determine whether any adjustments in Pinelands land-use policies need to be made. The Commission will look at the zoning densities of these development areas, taking into account:

- ⌘ Development needs and available land beyond 2020;
- ⌘ How to ensure that there are sufficient opportunities for development transfers;
- ⌘ Whether local zoning plans make efficient use of available land;
- ⌘ How to most effectively minimize conflicts between higher density development areas and areas that support populations of threatened and endangered species.



### ***Southern Pinelands Natural Heritage Trail***

Following years of planning by the Pinelands Commission and representatives from a group of Pinelands municipalities, the Southern Pinelands Natural Heritage Trail was officially designated as a State Scenic Byway by the New Jersey Department of Transportation in August 2005.

The designation enabled the Pinelands Commission and the 16 municipalities through which the trail passes to apply for a federal grant. Acting on behalf of the municipalities, the Commission applied for a \$250,000 federal grant in late December 2005.

The grant was submitted to the New Jersey Department of Transportation (NJDOT) for review as part of the National Scenic Byways Program. Funds disbursed under the grant would be used to hire a consultant to prepare a Corridor Management Plan addressing the planning and management strategies and permanent organizational structure needed to develop the Southern Pinelands Natural Heritage Trail. The management plan also is a necessary first step toward nominating the trail as a National Scenic Byway.

The 122-mile trail passes through Atlantic, Burlington, Cape May, Cumberland and Ocean counties, including portions of Bass River Township, Corbin City, Dennis Township, Egg Harbor City, Estell Manor City, Galloway Township, Hamilton Township, Little Egg Harbor Township, Maurice River Township, Mullica Township, Port Republic City, Tuckerton Borough, Upper Township, Washington Township, Weymouth Township and Woodbine Borough.

Officials in all five counties and 16 municipalities have passed resolutions in support of the trail.

The trail traverses existing roadways in the southern region of the 1.1-million-acre Pinelands National Reserve. It has a northern loop that travels the lower Mullica River basin of the eastern Pinelands; a southern loop that travels the Delaware Bayshore region of the Pinelands and a central segment that wends its way through Atlantic and Burlington counties.

The trail passes through the Bass River State Forest, Belleplain State Forest and Wharton State Forest. Historic villages, hamlets, churches and schoolhouses can be found at various locations along the trail.

Efforts to create a Scenic Byway in the Pinelands are a major outgrowth of the Pinelands Commission's Rural Economic Development Program. Legislation passed in 1997 appropriated \$250,000 to the Pinelands Commission to help rural communities identify and plan economic development strategies to stimulate environmentally suitable growth.

Expert consultants worked with seven municipalities in limited-growth areas in the Pinelands, and a number of potential planning initiatives and projects were identified, including the suggestion for a New Jersey and National Scenic Byway that would bring widespread awareness and appreciation of the natural and cultural assets of the Pinelands.

### ***Pinelands Excellence Program***

The Pinelands Commission continued the work of the Pinelands Excellence Program in 2005, with the innovative smart-growth planning effort focusing on Egg Harbor Township, Atlantic County.

The program was created in 2002 after the Commission received a \$187,000 grant from the Geraldine R. Dodge Foundation. Its goal is to create “livable communities” in the rapidly developing Pinelands Regional Growth Areas. Through a competitive process, the Commission selected two municipalities, Hamilton Township in Atlantic County and Winslow Township in Camden County, to participate in the program. Working with the two towns, the Commission engaged the services of planning firm to help each community develop a strategic vision of its future and to prepare Community Action Plans. The Community Action Plans for both towns were completed in 2004.

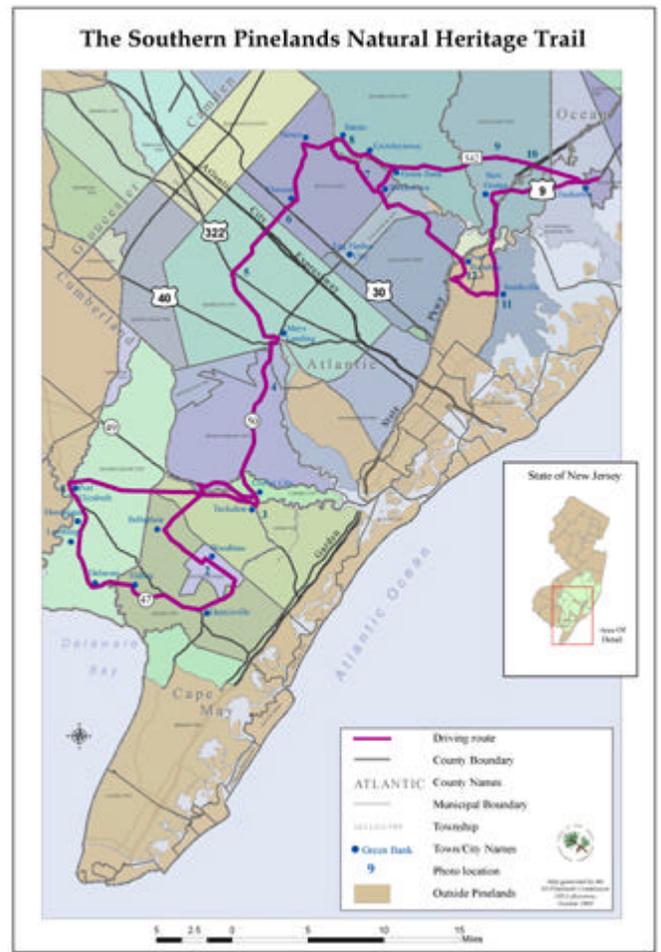
Later in 2004, the Commission was selected by the Dodge Foundation to receive a \$167,000 grant to continue the program to include Egg Harbor Township, a municipality that has experienced accelerated residential growth fueled by the rapid expansion of casino gambling in Atlantic City.

In 2005, the Commission contracted a team of planning and community design consultants to assist Egg Harbor Township in undertaking its planning process, which could be completed by November 2006.

The planning process relies on community participation. The participating municipality forms a “visioning team” consisting of representatives from the community. Team members work with the consultants to develop a vision statement to guide the preparation of a Livable Community Action Plan. Team members are asked to document in pictures and words what they like and do not like within their community and surrounding areas. The Community Action Plan is then prepared, establishing concrete proposals for zoning, subdivision, site planning and infrastructure improvements to achieve their visions.

### ***Long-Term Economic Monitoring Program***

The Pinelands Commission released the 2005 Long-Term Economic Monitoring Program’s Annual Report, which shows that municipalities in the Pinelands are generally outpacing many municipalities outside of the Pinelands in several key economic indicators.



A cooperative project administered by the Pinelands Commission and funded by the National Park Service, the annual report is a product of the Pinelands Long-Term Economic Monitoring Program.

The program monitors, collects and analyzes data such as population demographics, property values, economic growth and municipal finances, with the fundamental goal of evaluating the economy of the Pinelands region in an objective and reliable way. The data provides the Commission with a greater understanding of how Pinelands regulations and programs affect municipalities' economic status over time.

Data collected in 2005 reveals some key findings about the economy in the Pinelands, including the following:

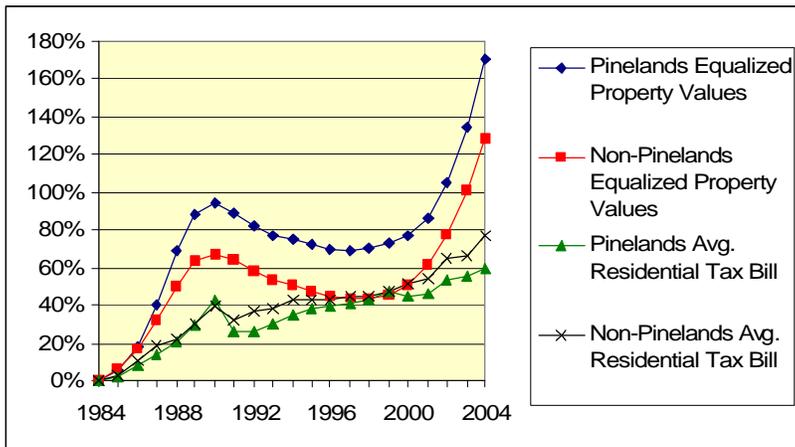
✍ The average inflation-adjusted residential property tax bill for municipalities in the Pinelands is \$700 lower than in municipalities in the non-Pinelands region of South Jersey and \$2,085 lower than the state as a whole.

✍ After three consecutive years of modest increases, the unemployment rate dropped in all regions of the state in 2004. For 2004, the unemployment rate in the Pinelands was 4.8 percent, compared to 5.4 percent for the non-Pinelands municipalities.

✍ Both the inflation-adjusted median selling price of homes and the volume of residential housing transactions posted double-digit percentage increases in the Pinelands in 2004. The median sales price for a home in the Pinelands was \$176,000 in 2004 – a 14.3 percent increase for the year.

✍ Residential housing transactions increased 15.3 percent in the Pinelands municipalities, compared to 12.4 percent in the non-Pinelands municipalities in 2004. That figure marks the fifth consecutive year that the Pinelands

real estate market grew at a quicker rate than the rest of Southern New Jersey. The bulk of home sales occurred in the northern, eastern and western edges of the Pinelands.



This graph shows that municipalities in the Pinelands compare favorably with those in the non-Pinelands towns with respect to equalized property values and residential tax bills during the past 20 years.

*Illustration by Tony O'Donnell, Pinelands Commission economist*

✍ Per capita retail sales grew by 21 percent in the Pinelands from 1997-2002 while remaining essentially unchanged in the non-Pinelands municipalities.

✍ With \$406 million in sales in 2002, the seven Pinelands counties for the first time make up more than half of New Jersey's agricultural sales – 52.8 percent – while comprising only 36.7 percent of the total acres farmed in the state.

In the economic report, the "Pinelands" is defined as the entirety of the 47 municipalities in Southern New Jersey that have at least 10 percent of their land area within the state-designated Pinelands Area. "Non-Pinelands" is defined as the remaining 155 municipalities located within the eight southernmost counties of New Jersey, including Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Ocean and Salem.

***Expanded Wildlife Buffers and Zoning Changes in Jackson Township's Toms River Basin***

In September 2005, the Pinelands Commission certified a Jackson Township ordinance aimed at protecting upland habitat for threatened and endangered wildlife by establishing special buffer requirements in the township's ecologically-sensitive Toms River corridor. Adopted by the Jackson Township Committee on July 11,

2005, the measure set forth new requirements prohibiting certain development activities within a 600-foot buffer from wetlands along the main stem of the Toms River and the Ridgeway Branch within the Pinelands National Reserve area of the township.

Permitted uses within the buffer overlay are restricted to low-intensity recreational uses, forestry, fish and wildlife management, berry agriculture, horticulture of native Pinelands species, beekeeping, bridges, roads, trails, and utility transmission and distribution facilities. Additionally, a number of existing uses such as resource extraction activities, active agriculture, existing dwellings and existing commercial structures are allowed in the overlay. However, the development of new buildings, structures, impervious surface and new resource extraction activities are prohibited within the buffer. The buffer requirements created an approximately 2,000-foot-wide corridor that connects major nodes of known habitat for threatened Northern pine snakes and protects critical habitat for endangered timber rattlesnakes and other wetlands-oriented wildlife species.

The buffer provisions were among the core recommendations contained in the Regional Natural Resource Protection Plan for the Toms River Corridor. The plan was developed in 2004 as part of a two-year, sub-regional conservation planning project undertaken by Jackson and Manchester township officials, Pinelands Commission staff and a team of representatives from non-profit, county, state and federal agencies.

Also as a result of the sub-regional conservation planning project, the Pinelands Commission in April 2005 approved a series of sweeping amendments to Jackson Township's land use and development ordinance. The amendments require clustering of residential development in a number of zoning districts so that development is directed to the most appropriate locations of a property while important natural resources are protected onsite.

The ordinance amendments approved by the Commission in April also incorporate a reduction of the Township's three Pinelands Villages – Cassville, Legler, and Vanhiseville – by some 1,100 acres to make them more proportionate to their existing size and character. The re-zoned areas have been re-designated as lower-density Pinelands Forest Area and Rural Development Area.

In addition to the Villages, approximately 760 acres of land was re-zoned from Rural Development to Forest Area and about 350 acres along the Toms River was re-zoned from Regional Growth to Rural Development.

### ***Hammonton Wastewater Infiltration***

In November 2005, the Pinelands Commission hired the U.S. Geological Survey (USGS) to conduct a study aimed at improving wastewater infiltration at a wastewater treatment facility in Hammonton. Under the project, the USGS will research the infiltration-percolation lagoons at the Hammonton Land Application Facility on Boyer Avenue. The federal agency will seek to identify the physical, chemical, biologic or hydrologic conditions that inhibit infiltration at the facility and, based upon those conditions, suggest remedial measures and maintenance tasks to improve infiltration.

In addition, the USGS will assess the prevalence of similar environmental conditions that may be encountered at other existing and future infiltration-percolation lagoon facilities in the Pinelands. The Pinelands Commission requires treated wastewater to be infiltrated as a means of replenishing groundwater supplies.

The Town of Hammonton built the infiltration facility in 2001 as part of sewage upgrades that were directed by the New Jersey Department of Environmental Protection (DEP) and the Pinelands Commission. Prior to the upgrades, the town's sewage treatment plant discharged treated effluent into Hammonton Creek, a tributary of the Mullica River that also flows into the Pinelands-designated Preservation Area. In 2002, Hammonton was ordered to cease the surface water discharge to Hammonton Creek and convey all of the flow from its sewage treatment plant to the Land Application Facility by October 31, 2003.

The Town of Hammonton requested and received an extension of the deadline, citing the Land Application Facility's inability to accept 66 percent of the actual flow in a manner that would comply with DEP permit requirements. Consultants hired by the Town of Hammonton have not yet identified the reasons for the impeded infiltration at the facility.

The research project will be completed in approximately three years. It will be funded by a \$100,000 contribution from the Pinelands Conservation Fund (see Page 16), a \$100,000 contribution from the Town of Hammonton and a \$40,000 contribution from the USGS.

## ***Forestry Policy Review***

Members of the Pinelands Forestry Advisory Committee, a blue ribbon panel reviewing the forestry provisions of the Pinelands Comprehensive Management Plan, spent 2005 refining a report describing and evaluating forestry and management practices in the Pinelands. The report is expected to be released in March 2006.

Based on the findings, the Commission will determine whether amendments to the forestry standards contained in the Comprehensive Management Plan are warranted.

The Pinelands Forestry Advisory Committee is composed of nine leading experts in the fields of forestry, forest ecology and conservation biology. It was reconstituted in February 2004 by then Pinelands Commission Chairman James Florio.

## ***Review of Municipal Ordinances***

All municipalities in the Pinelands Area are required to revise their master plans and land use ordinances in order to implement the objectives and standards of the Pinelands Comprehensive Management Plan. To date, all seven counties and 52 of the 53 municipalities with land in the state-designated Pinelands Area have had their master plans and land use ordinances certified by the Commission. Amendments to certified county and municipal master plans and land use ordinances must also be submitted to, and reviewed by, the Commission.

During 2005, the Commission reviewed and certified 101 ordinance and master plan amendments from 28 different municipalities.

# ***PERMANENT LAND PROTECTION***

## ***Cape May County Municipal Utilities Authority Acquisition Fund***

The Cape May County Municipal Utilities Authority (CMCMUA) fund was established under an agreement between the Pinelands Commission and the CMCMUA whereby the CMCMUA pledged \$2.25 million to fund land acquisitions in the Pinelands National Reserve.

During 2005, the Commission spent a total of \$354,790.10 from the fund on five projects. Utilizing partnerships with numerous organizations, these five projects protected a total of approximately 785 acres. The projects included The Nature Conservancy's (TNC) first purchase of property in Cape May County, a 35 acre parcel in the Great Cedar Swamp. After buying the property, TNC transferred the land to the U.S. Fish and Wildlife Service, to become part of the Cape May Wetlands National Wildlife Refuge. Two other projects, totaling approximately 147 acres, protected lands in the East Plains Fireshed near the Warren Grove Bombing Range.

The CMCMUA Land Acquisition Fund also has a grant component that gives money to local municipalities and non-profits for worthy projects. During 2005, the first two grants from the CMCMUA account were completed. A grant of \$100,000 to Ocean County helped preserve approximately 716 pristine acres in the Forked River Mountain Area. A second grant, of \$150,000 to Galloway Township, assisted the Township in preserving approximately 69 acres around a Great Blue Heron rookery.

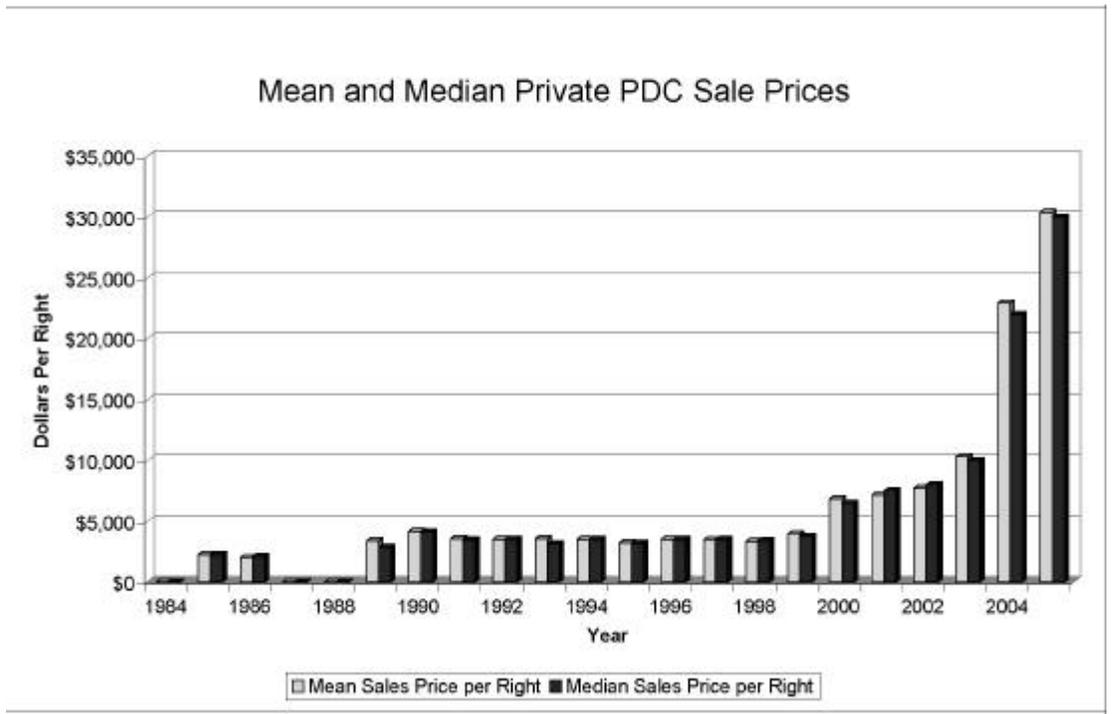
## ***Pinelands Development Credit Program***

The Pinelands Development Credit Program is a regional transfer of development rights program that preserves important agricultural and ecological land. Pinelands Development Credits (PDCs) are allocated to landowners in Pinelands-designated Preservation, Agricultural and Special Agricultural Production Areas, which are the sending areas. These credits can be purchased by property owners and developers who are interested in developing land in Pinelands-designated Regional Growth Areas, which serve as the receiving areas, and can be used to increase the densities at which they build. Once those credits are "severed" from a sending area property, the property is permanently protected by a conservation deed restriction and the credits on the property can be sold.

Credits are bought and sold in one-quarter credit units called “rights.” During 2005, 689 rights were severed, protecting 5,091 acres of land. A total of 5,879 rights have been severed from 1982 to 2005, protecting 47,651 acres. In 2005, the mean sales price of PDCs was \$30,413 per right, while the median sales price was \$30,000 per right.

***Farmland preservation***

The State Agricultural Development Committee (SADC), working in cooperation with the Pinelands Commission, administers a special Pinelands Direct Easement Purchase Program that permanently protects farmland within those Pinelands Management Areas that serve as sending areas for Pinelands Development Credits (PDCs). During 2005, development easements were acquired on four farms totaling 253 acres. Through 2005, 38 farms totaling 3,323 acres have been preserved under the Pinelands Direct Easement Purchase Program.



**Note:** No private sales occurred in years 1984, 1987 and 1988. In order to reflect the influence of the re-sale market, includes secondary, as well as first-time sales, resulting in some multiple recounting of rights. Does not include sales/transfers involving special circumstances such as gifts within families or sales including land. Source: 1991 Plan Review document (for data through mid-1991) and the PDC Bank.

***New Jersey Department of Environmental Protection Green Acres Pinelands Acquisition Program***

The Pinelands Commission continued to work with the New Jersey Department of Environmental Protection’s Green Acres Program to identify and permanently protect ecologically-valuable land in the Pinelands. During 2005, the Green Acres Program acquired a total of 14,217 acres of land throughout the Pinelands at a cost of \$17,128,936.

***Pinelands Limited Practical Use Program***

The Pinelands Limited Practical Use (LPU) Program offers the owners of properties less than 50 acres in size and whose application for a waiver of strict compliance (a variance from normal Pinelands zoning or environmental standards) has been denied by the Commission, the opportunity to sell their land to the State of New Jersey. In 2005, six parcels were declared eligible, totaling 1.94 acres. To date, more than \$1.5 million has been spent to buy and permanently protect more than 1,053 acres.

***Pinelands License Plates***

In 1998, Pinelands specialty license plates became available to New Jersey motorists who want to show their support for the Pinelands while helping to protect open space in the region. After reimbursing the Motor Vehicle Commission for expenses associated with the plates, proceeds from application and renewal fees are deposited



in the Pinelands Preservation Fund. The Fund goes toward the acquisition of ecologically sensitive land in the Pinelands. It is managed by the New Jersey Department of the Treasury, with land acquisitions administered by the New Jersey Department of Environmental Protection.

During Fiscal Year 2005, which runs from July 1, 2004 to June 30, 2005, 608 new sets of Pinelands license plates were issued and 4,238 sets were renewed. Receipts for the year totaled \$71,607.50, and the total fund balance at the close of Fiscal Year 2005 stood at \$431,730.62.



***Historic buildings at the Batsto Village in the Wharton State Forest in the Pinelands***

Photo/Paul Leakan

# Scenes in the Pinelands in 2005



During a regular meeting in 2005, Chairperson Betty Wilson presented a plaque to fellow Commissioner Robert McIntosh, honoring him for 10 years of service on the Pinelands panel. McIntosh is the U.S. Secretary of the Interior's appointee on the Commission.



Pinelands Commission Research Scientist Nicholas Procopio, pictured right, collected water samples from Batsto Lake during the World Water Monitoring Day, held on Oct. 18, 2005.



John C. Stokes, Executive Director of the Commission, recounts the Commission's role in helping the new Southern Pinelands Natural Heritage Trail become a State Scenic Byway during a press conference held on Oct. 27, 2005 at Crowley's Landing Recreation Area in Burlington County.



Former Governor James J. Florio and Commission member Leslie Ficaglia pose for a photo during a special event honoring Florio for his service as Chairman of the Commission. Florio served as Chairman from 2002-2005.

**Photos by Paul Leakan and Joel Mott/  
New Jersey Pinelands Commission**

## **Science & Research Activities**

### ***Kirkwood-Cohansey Study***

The Pinelands Commission continues to lead a major study aimed at gaining a better understanding of the relationship between the 17-trillion gallon Kirkwood-Cohansey Aquifer and the unique Pinelands environment that it supports. Legislation passed in 2001 appropriated \$5.5 million from the State Water Supply Fund to the Commission to determine how the current and future water-supply needs within the Pinelands Area can be met while protecting the Kirkwood-Cohansey system and avoiding adverse impacts to Pinelands ecology. The study, which got underway in 2004, is being implemented in cooperation with the New Jersey Department of Environmental Protection, Rutgers University, the United States Fish and Wildlife Service and the United States Geological Survey.

Scientists from those agencies are in the second year of conducting a series of studies that characterize relationships between key hydrologic and ecological attributes. The scientists are studying stream flows, wetland water levels, wetland forest communities, soils, evapotranspiration, intermittent pond vegetation, fish, frogs, macro invertebrates, and swamp pink, a federally endangered plant species.

The study addresses two major research questions: First, what are the probable hydrologic effects of groundwater diversions from the Kirkwood-Cohansey Aquifer on stream flows and wetland water levels? Second, what are the probable ecological effects of these changes on aquatic and wetland communities?

In 2005, participants in the study continued to collect and report stream-gaging data, completed wetlands vegetation sampling in 201 plots and monitored monthly water levels in each plot through October. They also studied anuran-larval development by identifying, measuring, weighing and determining the development stage of spring peeper, southern leopard frog and Pine Barrens treefrog tadpoles and metamorphs on a weekly basis and measuring pond stages. Additionally, the study participants in 2005 determined household population, number of households and residential densities by municipalities and used the data to estimate water use by person, household and acre.

The study is expected to be completed by December 2009.

### ***Great Egg Harbor River Watershed Management Area (WMA) Study***

In 2005, the Commission completed its scientific assessment of the Great Egg Harbor River Watershed Management Area. The watershed study also includes the Tuckahoe River, Absecon Creek and Patcong Creek.

The results of the study differed in some ways from the Commission's studies of the Rancocas Creek and Mullica River basin. In both previous studies, the surface-water quality and biological communities found in forested stream basins contrasted with those attributes found in basins with a high percentage of altered land



Allison Brown of the Commission Science staff samples wetlands vegetation as part of the study of the Kirkwood-Cohansey aquifer.

Photo:En C iralo

(developed land and upland agriculture). Acid water and typical Pinelands biological communities characterized survey sites in forest-dominated stream basins. Elevated pH and specific conductance and nonnative plant and animal species were associated with stream basins with a high percentage of altered land.

The association between land use and both pH and specific conductance in the Great Egg Harbor River WMA was statistically significant, but the relationships were not as strong as those reported for the Rancocas Creek and Mullica River basins. The relationships between land use and nutrients were generally similar in the three basins. Nitrite plus nitrate concentrations generally increased as the percentage of altered land in a drainage basin increased. Elevated ammonia levels were most apparent in the most heavily altered basins in the Rancocas Creek Basin and the Great Egg Harbor River WMA. No clear relationship between land use and phosphorus existed in any of the three major watersheds.

In the Mullica River and Rancocas Creek basins, fish and anuran (frogs and toads) assemblages varied along a watershed-disturbance gradient characterized by increases in pH, specific conductance, and the percentage of altered land in a basin. In the Great Egg Harbor River WMA, the anuran-community gradient was not associated with these three watershed-disturbance variables; however, the percentage of native and nonnative anuran species was associated with pH. As pH increased, the percentage of native species decreased and the percentage of nonnative species increased. Furthermore, as pH and the percentage of altered land in a basin increased, the probability of hearing native carpenter frogs at a site and the number of carpenter frogs heard calling per site decreased. In contrast, the number of nonnative bullfrogs heard at a site increased with the percentage of altered land in a basin.

As in the Mullica River and Rancocas Creek studies, the percentage of native-plant species decreased and the percentage of non-Pinelands species and disturbance-indicator plant species increased as pH and the percentage of altered land in a basin increased. Specific conductance increased toward the nonnative-species end of the stream-vegetation gradient, although the relationship was not statistically significant.

### ***Mullica River and Great Egg Harbor River Stream-Discharge Monitoring***

The Commission and the U.S. Geological Survey (USGS) continued to implement two cooperative stream-gaging programs in 2005.

The first project, which is funded by the Camden County Municipal Utilities Authority (CCMUA), is designed to determine whether wastewater transfers from the lower Camden County area are affecting stream discharge in portions of the Mullica River basin.

An initial trend analysis of streams in the Camden County study area revealed no changes in streamflow during the period 1991-1998. Staff completed a second trend analysis for the period April 1991 through September 2002. Decreases in streamflows were detected within the study area and the changes appeared to coincide with an increase in wastewater flows to the Delaware River. However, for most of the study sites that showed a significant decrease in flow from April 1991 through September 2002, the annual percentage decreases estimated through the analysis far exceeded the amount of water withdrawn. A third analysis assessing changes in streamflow at the ten Camden County monitoring sites was completed in 2005. The assessment covered the period of April 1991 through October 2004. Overall, the majority of study-site to index-site comparisons revealed no significant changes in baseflow within the study area. A similar trend analysis will be repeated in 2006.

The Commission and the USGS are conducting a similar stream-gaging project at five stream stations in the Upper Great Egg Harbor River basin in cooperation with the Monroe Township Utilities Authority. The analytical method used to assess trends in streamflow is based on the approach presented in a study, titled "Detecting base-flow impacts in Coastal Plain streams," that was conducted by Commission staff (Dow 1999) and published in the Journal of the American Water Resources Association.

An assessment of changes in streamflow at the five Monroe Township monitoring sites was completed in 2005. The assessment indicated that water withdrawals in Monroe Township have not had a significant impact on streamflows in these basins. A similar trend analysis will be repeated in 2006.

## ***Cranberry Agriculture and Wetlands***

In 1999, the Commission received a Wetlands Development Grant from the U. S. Environmental Protection Agency (USEPA) to conduct a study of the potential effect of past and present cranberry agriculture on selected landscape features, stream flow, and aquatic communities in the Mullica River and Rancocas Creek basins. A comprehensive report describing the results of the study will be finalized early in 2006.

## ***Ecological Integrity Assessment***

In 2005, the Commission initiated a comprehensive review of landscape and watershed conditions throughout the Pinelands to better ensure that important natural areas, including those that provide habitat for threatened and endangered plant and animal populations, are protected. As part of the project, staff scientists are assembling available Geographic Information Systems data and reviewing scientific literature on the relationship between land use and ecological integrity, emphasizing those that are directly relevant to the Pinelands ecosystem, and approaches used to evaluate the ecological integrity of other ecosystems. The project will rely heavily on data collected through the Commission's long-term environmental-monitoring program and will be coordinated with monitoring-program activities.

## ***Toms River/Barnegat Bay Tributaries Study***

The Commission's Science Office continued its analysis of the Toms River/Barnegat tributaries in 2005 in preparation for issuing a report in 2006. Water quality, stream vegetation, fish, and anurans of the Toms River Basin and other Barnegat Bay drainage systems were surveyed in 2003. Monthly pH and specific conductance measurements were completed at 65 stream stations from January 2003 through December 2003. Fish were surveyed at 42 stream sites and 17 stream impoundments, anuran-vocalization surveys were completed at 46 stream impoundments, and stream vegetation was sampled at 50 stream sites.

## ***Electric Transmission Right-of-Way Maintenance Plan***

The Pinelands Commission is developing an ecologically based right-of-way maintenance plan in cooperation with Rutgers University and representatives of the Board of Public Utilities, Public Service Electric and Gas (PSE&G), Jersey Central Power and Light (JCP&L), Atlantic City Electric (formerly Conectiv), and the New Jersey Endangered and Nongame Species Program (ENSP). The goal of the project, which will be conducted by Rutgers University scientists, is to prepare right-of-way (ROW) maintenance plans that create and maintain relatively stable and sustainable, early successional habitats that reflect characteristic Pinelands habitats, require minimal management, ensure transmission reliability and safety, and minimize the need for individual Pinelands permit reviews. Although the right-of-way maintenance plan is not a component of the Commission's long-term environmental-monitoring program, like the Kirkwood-Cohansey Project, the results will contribute to accomplishing the goals and objectives of the program.

## ***Littoral Communities***

In 2001, the Commission received a Wetlands Development Grant from the USEPA titled, "Monitoring the ecological integrity of Pinelands wetlands: the effect of watershed disturbance on the littoral communities of stream impoundments." The results of this study of littoral (near-shore) biota will allow the existing baseline inventory of Pinelands vegetation, fish, and anuran communities to be expanded to include impoundments and help to refine previously developed land-use/ecological relationship models. Field work was completed in 2005, and a final report will be completed in 2006.

## ***Water-level Monitoring: Forested Wetlands and Coastal Plain Ponds***

Monitoring of water levels at five pitch pine lowland reference sites continued for the eighteenth year. With the exception of one year, these sites have been monitored continuously since 1987. Water levels were monitored at 14 coastal plain ponds for the tenth consecutive year (1996-2005). The results of the monitoring programs are being used in the Kirkwood-Cohansey Project.

## ***Science Advisory Committee***

The Pinelands Commission established two committees to advise the Science Office and the Commission on the role of science in achieving the goals of the Comprehensive Management Plan. A Science Advisory Committee (SAC) was established in 2000. Committee members are Drs. John Dighton, Joan Ehrenfeld, Richard Lathrop (Chairperson), Anthony Navoy, and Peter Oudemans. A second committee, composed of Commissioners, was established in 2001 to provide a forum for discussion of ongoing Science Office activities.

The Science Advisory Committee (SAC) met in March 2005. During the meeting, Science Office staff provided an update on the Kirkwood-Cohansey project, an overview of the final report regarding Timber Rattlesnakes, and summaries of ongoing long-term monitoring projects, the right-of-way maintenance plan, and the ecological-integrity project.

The Science Committee met several times during 2005. Important accomplishments included the review and approval of a research proposal by the U.S. Geological Survey to study methods to improve infiltration of treated wastewater and the work plan for the electric transmission right-of-way maintenance plan. The committee continued to work on a white paper prepared by the Planning Office concerning the preservation of ambient water quality.

## ***FACILITIES & OPERATIONS***

### ***Historic Buildings in Fenwick Manor Restored and Reoccupied***

Fenwick Manor, the farmstead that is home to the Pinelands Commission's office complex, was fully reoccupied by the Commission's staff in late 2005 after major renovations were completed on the historic buildings onsite.

Located on a 4.5-acre parcel in Pemberton Township, Burlington County, Fenwick Manor contains a farmhouse, a carriage house, a barn and an outbuilding, as well as the recently constructed Richard J. Sullivan Center. Several of the buildings were seriously deteriorated prior to the renovations that were approved by the New Jersey Legislature and were funded and managed by the New Jersey Building Authority.

The Commission's Administration, Planning, Communications and Business



The farmhouse at Fenwick Manor is one of historic buildings that were renovated and reoccupied by staff in late October and November 2005.

Photo/Paul Leakan

Business Services departments were relocated to the adjacent Richard J. Sullivan Center before the \$1.8 million renovation project began in 2004. The upgrades were completed in October 2005, enabling the Commission's staff to move into the farmhouse, barn and carriage house.

Fenwick Manor was built in the 1820s and is listed on the State and National Registers of Historic Places. The buildings needed the upgrades in order to correct technical problems, meet historical accuracy, improve functional operations and to address code, safety and environmental issues.

The first and second floors of the farmhouse were completely renovated. Repairs were made after extensive termite damage was found. The exterior of the building was repaired according to State Historic Preservation Office requirements. A new roof, an upgraded heating system, a security access system and new electrical and telecommunications systems were installed. Additionally, the building's windows were restored.

The carriage house received a new tile bathroom, new roof, new paint and a new heating system. It also underwent structural reinforcement and window restoration.

The barn was converted from storage space into office space. Workers installed a new workroom, bathroom, heating and air-conditioning systems, a security access system, and communications and data systems. The Commission plans to undertake a renovation project on the second floor of the barn in 2006.

## ***Fiscal & Budget***

The Pinelands Commission's operating budget for Fiscal Year 2006 is \$5,030,799. Of this, \$3,501,450, or 70 percent, is budgeted for personnel expenses. Budgeted revenue sources include \$384,630 in federal grants, a \$3.104 million State appropriation, \$138,710 in State grants and other State funding and \$810,000 in application fees.

In addition to the operating budget, \$781,500 is budgeted for the Commission's commitment to the special land acquisition program funded through the Cape May County Municipal Utilities Authority (see Page 10). The 2006 budget for the Kirkwood-Cohansey Study, funded through legislation passed in 2001, is \$1.52 million. The budget for the Pinelands Conservation Fund (see Page 19) is \$409,000.

## ***Pinelands Application Fees***

Beginning in April 2004, the Pinelands Commission implemented the first application fees since the enactment of the Pinelands protection program. The fees were established to partially underwrite the direct costs associated with reviewing development applications (see Page 4).

During Fiscal Year 2005, application fee revenues totaled \$777,097. \$810,000 is anticipated in Fiscal Year 2006.

## ***Pinelands Commission Information System (PCIS)***

In 2005, the Commission completed the development and implementation of the Pinelands Commission Information System (PCIS), a new central computer database that merges all of the agency's permitting, zoning, violation and geographic data. The system was developed by State contract vendor Applied GIS, a geographic information system development firm located in Schenectady, New York. The Pinelands Commission's Management Information Systems (MIS) and Geographic Information Systems (GIS) offices worked in close coordination, with overall project management and non-spatial data migration responsibilities handled by MIS, while the spatial components of the system, including the migration of legacy GIS coverages were handled by the GIS office.

The PCIS has seamlessly integrated and expanded upon the following five, previously stand-alone systems:

- The Development Review system, which tracked and recorded all aspects of the land development and approval process;

- ✍ The Zoning information system, which maintained information on all municipal land use designations;
- ✍ The Violations system, which tracked violations of Pinelands protection and development standards;
- ✍ The Geographic Information System, which was used to create maps, conduct land use analyses and manage spatial data; and
- ✍ The Mail list system, which was used to log all incoming correspondence that was not able to be immediately assigned to an application number.

During Fiscal Year 2006, the MIS and GIS offices will be focusing on enhancing the PCIS, with the ultimate goal of providing easier and faster access to information via internet-based services. The New Jersey Highlands Council and the Delaware River Basin Commission both inquired about the program, and the Pinelands Commission spent time with the two agencies show how the system operates. The Highlands Council has since acquired and installed the software and is customizing it to meet the agency's needs.

### ***Pinelands Conservation Fund***

In April 2005, the Pinelands Commission approved a plan to direct the use and management of the Pinelands Conservation Fund. The Fund was created as part of an agreement with the New Jersey Board of Public Utilities to permit the construction and upgrade of an electric transmission line through eastern portions of the Pinelands. Under the agreement, the special fund was set up to "further the Pinelands protection program and ensure a greater level of protection of the unique resources of the Pinelands Area." The utility constructing the transmission lines, Atlantic City Electric (formerly Conectiv), provided \$13 million to establish the fund.

The plan approved by the Commission dedicates the funding to three types of projects: \$6 million dollars for permanent land protection; \$3.5 million for conservation planning and research projects, and \$3.5 million to support community planning and design initiatives.

The objectives of the permanent land protection component will be to protect important natural, cultural, historic and agricultural resources through the purchase of land and conservation easements. Funding will be appropriated for acquisition of lands that are recommended as part of regional or sub-regional plans adopted by the Commission or other acquisition recommendations approved by the Commission. Priority will be given to projects which supplement Pinelands Conservation Fund proceeds with other state, federal, local or private funding.

Funds disbursed under the conservation planning and research component must also directly benefit the conservation of Pinelands resources, including the funding of sub-regional conservation planning projects and applied scientific research projects. This portion of the fund will support the ecologically based electric transmission right-of-way maintenance plan project, also set forth in the BPU agreement. This project is developing a management approach to maintain early successional habitats along electric rights-of-way within the Pinelands while maintaining transmission safety and reliability. (See Page 16).

The third component will support ongoing community planning and design efforts in Pinelands municipalities. This will build upon the work of the Dodge Foundation-supported Pinelands Excellence Program which develops community action plans for creating livable and sustainable communities. (See Page 7).

The Pinelands Conservation Fund plan also sets forth policies for the investment, management and administration of Fund monies.

## ***REGULATORY ACTIVITIES***

### ***Permitting***

The Commission's staff reviews municipal and county permitting decisions and development approvals to determine potential impacts on Pinelands natural resources. In cases where the local approval may be inconsistent with

Pinelands regulations, the Commission's Executive Director has the authority to refer the approval to the Pinelands Commission, which can modify or overturn it. In 2005, the Commission's Project Review Office received 1,135 new applications. This compares with 1,372 new applications in 2004.

Of the 1,560 local permits that were reviewed by the Pinelands Commission in 2005, 1,076 (68.9%) were processed through the faxed permit procedure. Under the faxed permit procedure, a local code or health official can telefax a construction or septic application to the Commission prior to issuing the permit. The file is then reviewed and the municipality or county is notified within two days as to whether the issuance of a permit will raise any regulatory issues with the Commission. The permit can then be issued or the applicant can be advised of a problem to be addressed or concerned. The process leads to dramatic reductions in the 15-day review period provided under the Pinelands Protection Act.

### ***Southern Railroad Decision***

In 2005, the Commission was successful in its efforts to halt the construction of a proposed solid waste transfer station in the Pinelands in Mullica Township, Atlantic County. In a ruling issued on December 22, 2005, Judge Jerome B. Simandle of the U.S. District Court granted a preliminary injunction that stopped construction of the facility. In his decision, Simandle recognizes the Pinelands Commission's jurisdiction over the proposed trash transfer facility. Additionally, the court concluded that the development would cause immediate, irreparable harm to the critical and valuable resources of the Pinelands because the proposed facility would not meet the requirements of the Pinelands Comprehensive Management Plan.

The decision also requires that the applicant, J.P. Rail Inc., doing business as the Southern Railroad Company of New Jersey, seek and obtain Pinelands Commission approval before it can move forward with its proposal to develop the waste transfer facility, or until further Order of the Court.

Judge Simandle denied J.P. Rail Inc.'s motion for a preliminary injunction barring the Commission from preventing the construction of the proposed facility. J.P. Rail had argued that the Commission was pre-empted by federal railroad laws and that the regulation of the proposed facility is exclusively within the jurisdiction of the federal Surface Transportation Board.

However, in his ruling, the judge found that the proposed waste transfer station probably will not involve "transportation by a rail carrier," and therefore the Commission would likely succeed in its claim that the Surface Transportation Board does not have exclusive jurisdiction over the regulation of the proposed facility.

### ***Forestry Applications***

The Pinelands Commission jointly reviews most private forestry applications in the Pinelands Area in partnership with the New Jersey Department of Environmental Protection Forest Service under the auspices of the New Jersey Forest Stewardship Program. In 2005, the Pinelands Commission reviewed and approved nine private forestry applications. The Commission also approved five public forestry applications in 2005.

### ***Wetlands Permits***

The Commission also has the authority to issue Freshwater Wetlands General Permits in the Pinelands Area on behalf of the New Jersey Department of Environmental Protection. The Commission issued 15 such permits in 2005.

### ***Violations***

The Pinelands Commission continues its efforts to provide assistance to municipalities in pursuing and resolving violations of the local land use ordinances and Pinelands regulations. A total of 118 violations were reported to the Commission in 2005.

# ***PUBLIC INFORMATION, PARTICIPATION & EDUCATION***

## ***Outreach and Education***

In 2005, the Commission's Communications and Public Programs Office staff continued to provide information and respond to inquiries from the media and public. In 2005, staff handled 226 press inquiries and responded to 927 public inquiries. They issued 14 press releases regarding the Commission. They also published two editions of *The Pinelander*, the Commission's official newsletter, both of which were mailed to 2,300 people. Staff organized and carried out a press conference regarding the Southern Pinelands Natural Heritage Trail, a press briefing on the findings of the Pinelands Housing Task Force and a two-segment interview of Commission Chairperson Betty Wilson on Comcast Newsmakers.

In October 2005, the Commission co-sponsored the World Water Monitoring Day at the historic Batsto Village in Washington Township, Burlington County.

The event attracted approximately 105 students who conducted water quality tests while interacting with, and receiving guidance from, staff with the New Jersey Pinelands Commission, the New Jersey Department of Environmental Protection and the United States Geological Survey. Students from Pinelands Regional Middle School in Ocean County, Manalapan High School in Monmouth County, Monroe Township High School in Monmouth County and Sterling High School in Camden County obtained and tested water samples from Batsto Lake, which is located in the heart of the Pinelands in Wharton State Forest. The students measured the levels of pH or acidity in water, as well as water clarity, temperature and dissolved oxygen. The Communications and Public Programs Office also led students from the New Jersey Governor's School on an educational tour of the Pinelands, and it planned a Pinelands-related education program New Jersey Museum of Agriculture. Lastly, it worked with representatives from several organizations to begin planning a celebration marking the 25th anniversary of the Comprehensive Management Plan. The celebration will be held in 2006.



Leslie McGeorge of the New Jersey Department of Environmental Protection, pictured left, and Joel Mott of the Pinelands Commission hold a map during World Water Monitoring Day at Batsto.

Photo/Paul Leakan

## ***Pinelands Education Advisory Council***

The Pinelands Education Advisory Council is an advisory body to the Pinelands Commission. Consisting of educational professionals, the Council advises the Commission on ways to improve, expand and better coordinate Pinelands educational and interpretive programs. The Council met three times in 2005, helping the Commission with various outreach projects and assisting with the annual Pinelands Short Course.

## ***Pinelands Short Course***

The 16th annual Pinelands Short Course was held on March 5, 2005, drawing more than 300 people and featuring 19 knowledgeable presenters. The Pinelands Commission continued its partnership with Burlington County College in holding the event at the college's Pemberton Township campus for the second straight year.

The Pinelands Short Course is a day-long educational opportunity for the public that has been held on the first



Pinelands Commission Executive Director John C. Stokes speaks to the audience gathered for the 16th Annual Pinelands Short Course at Burlington County College.

Saturday in March each year since 1989. The Pinelands Commission is a registered New Jersey Professional Development Provider, and teachers who attend the Short Course receive professional development credits.

The 16th annual Short Course featured 10 new programs, a total that seemed to spur renewed interest in the event from past participants. Among other things, the new programs included discussions and presentations on timber rattlesnakes, Revolutionary War history in the Pinelands and traditional uses of native Pinelands plants.

Also, for the first time the course featured a performance by the Sugar Sand Ramblers, a group that plays traditional Pinelands music.

The main goal of the Short Course is to educate people about the importance of the unique natural, historic and cultural

resources of the Pinelands, while raising and appreciation of the region.

### ***Pinelands Interpretation & Tourism***

In 2005, the Commission continued to work with the National Park Service on the Pinelands Interpretive Program, which is located at the New Jersey Coastal Heritage Trail Office in Cumberland County. In December 2005, the Commission proposed a new Cooperative Agreement with the National Park Service, the New Jersey Department of Environmental Protection and the New Jersey Division of Parks and Forestry to continue to implement the Pinelands Interpretive Plan. The Commission and the National Park Service advanced several Pinelands interpretive projects in 2005, including designs of new Pinelands National Reserve highway signs (see graphic on right) and a new wayside exhibit featuring the history of Fenwick Manor, updates to the Pinelands interpretive kiosk displays featured throughout the Pinelands and work on a new unigrid brochure.

The Commission also provided input on efforts to better promote tourism opportunities in the Pinelands. On January 31, 2005, the Commission co-sponsored the Pinelands Tourism Summit at YMCA Camp Ockanickon in Medford, Burlington County. Approximately 80 people attended the event, which was co-sponsored by Burlington County, The South Jersey Tourism Corporation and the New Jersey Division of Travel and Tourism. Attendees discussed ways to boost tourism in the Pinelands in a manner that is protective of the region's resources. The Commission also participated in a Pinelands Tourism Task Force that has discussed the creation of a Pinelands Elderhostel program that would be operated in conjunction



Proposed design for new Pinelands National Reserve highway road signs.

with the National Elderhostel Organization.

## ***Pinelands Municipal Council***

The Council elected its executive committee for the year in April 2005. Woodbine Mayor William Pikolycky was elected to a third term as Chairman of the Council. Buena Vista Township Mayor Chuck Chiarello was elected to his third term as Vice Chairman, Winslow Township Zoning Officer and Director of Public Works Edward McGlinchey was elected to his second term as the Council's Secretary, Bass River Township Mayor Richard Bethea was elected to his ninth term as Treasurer, and former Mullica Township Mayor and Commission member Robert Hagaman was elected to his sixth term as member at large.



Each year, the Pinelands Commission and the Pinelands Municipal Council sponsor an orientation session for newly elected or appointed or any other municipal officials, with the goal of familiarizing or providing a refresher course on the Pinelands environment and Pinelands regulations.

The 2005 session was held February 26 in Woodland Township. Thirty-four municipal officials attended the event.

## ***Redesigned Web site***

In cooperation with the New Jersey Office of Information Technology, the Pinelands Commission completely redesigned and enhanced its Web site ([www.nj.gov/pinelands](http://www.nj.gov/pinelands)) in 2005. The main goal of the joint project was to upgrade the Commission's Web site to meet the Internet standards, technology and branding of the State of the New Jersey. In addition to these enhancements, the Web site has been designed with the user in mind, providing easy navigation and an abundance of information in a user-friendly manner.

The redesigned Web site offers a myriad of new features such as detailed fact sheets discussing a variety of Pinelands topics, and the new online information center, which includes numerous reports, studies, newsletters and other valuable sources of information.

The Web site is indexed into eleven topical sections, including the Home Page, Pinelands National Reserve page, the About the Commission page, the Municipal Council page, the Land Use and Planning Page, the Permitting and Applicant Services page, the Science page, the Information Center page, the Educational Resources page and the Pinelands Pastimes page.

The Home Page of the Web site receives approximately 6,000 hits or views each month.

## ***NJ Open Public Records Act***

The Commission continued to respond to requests for public records under the statutory requirements of the New Jersey Open Public Records Act (OPRA). During 2005, the Commission's Record Custodian received and processed 18 formal OPRA requests. Of the 18 requests, 15 were submitted by legal, environmental consulting,



development, engineering or other professional service firms. The remaining three were submitted by private citizens.

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