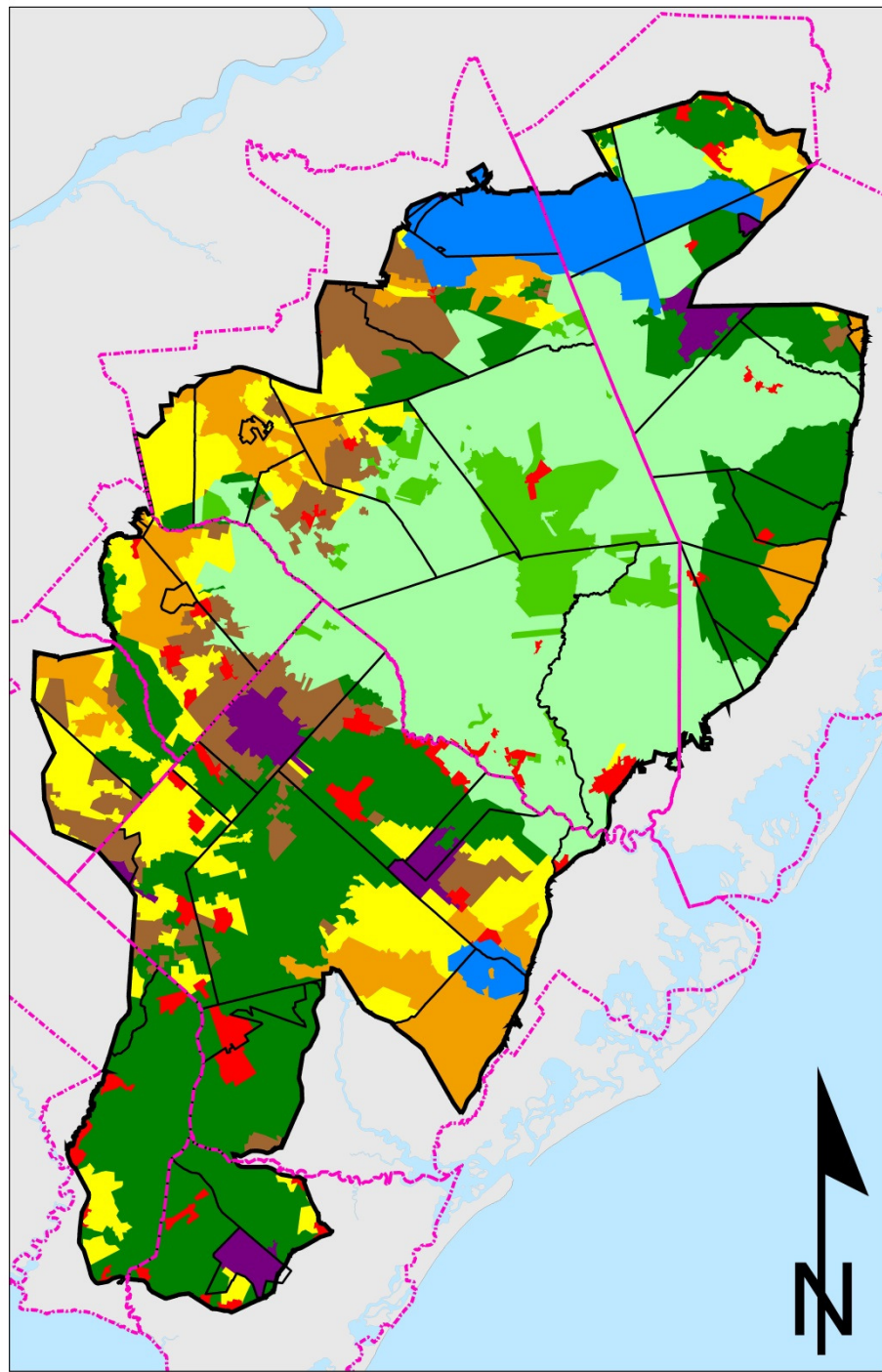


# Black Run Rule Proposal

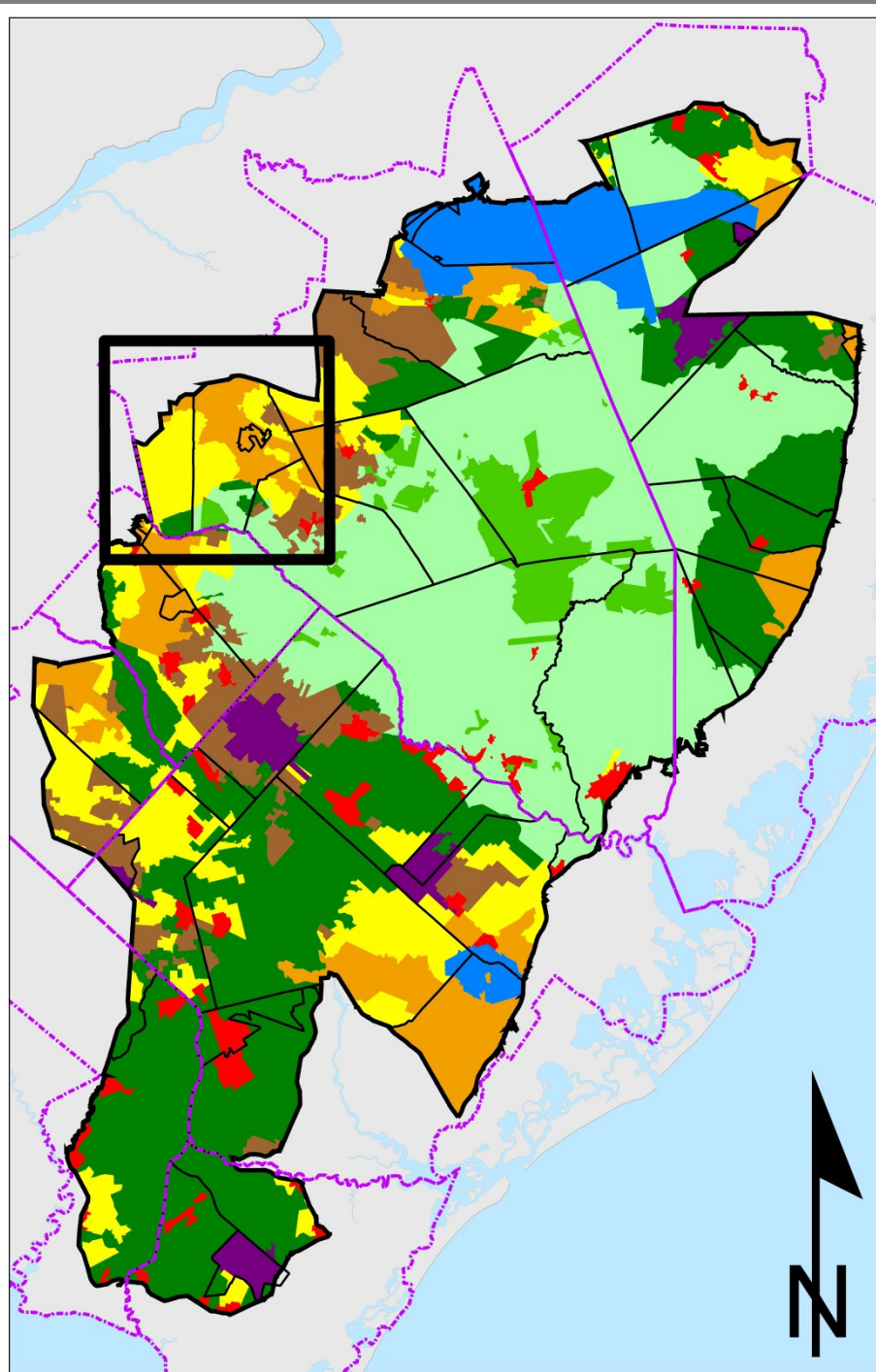


March 27, 2015

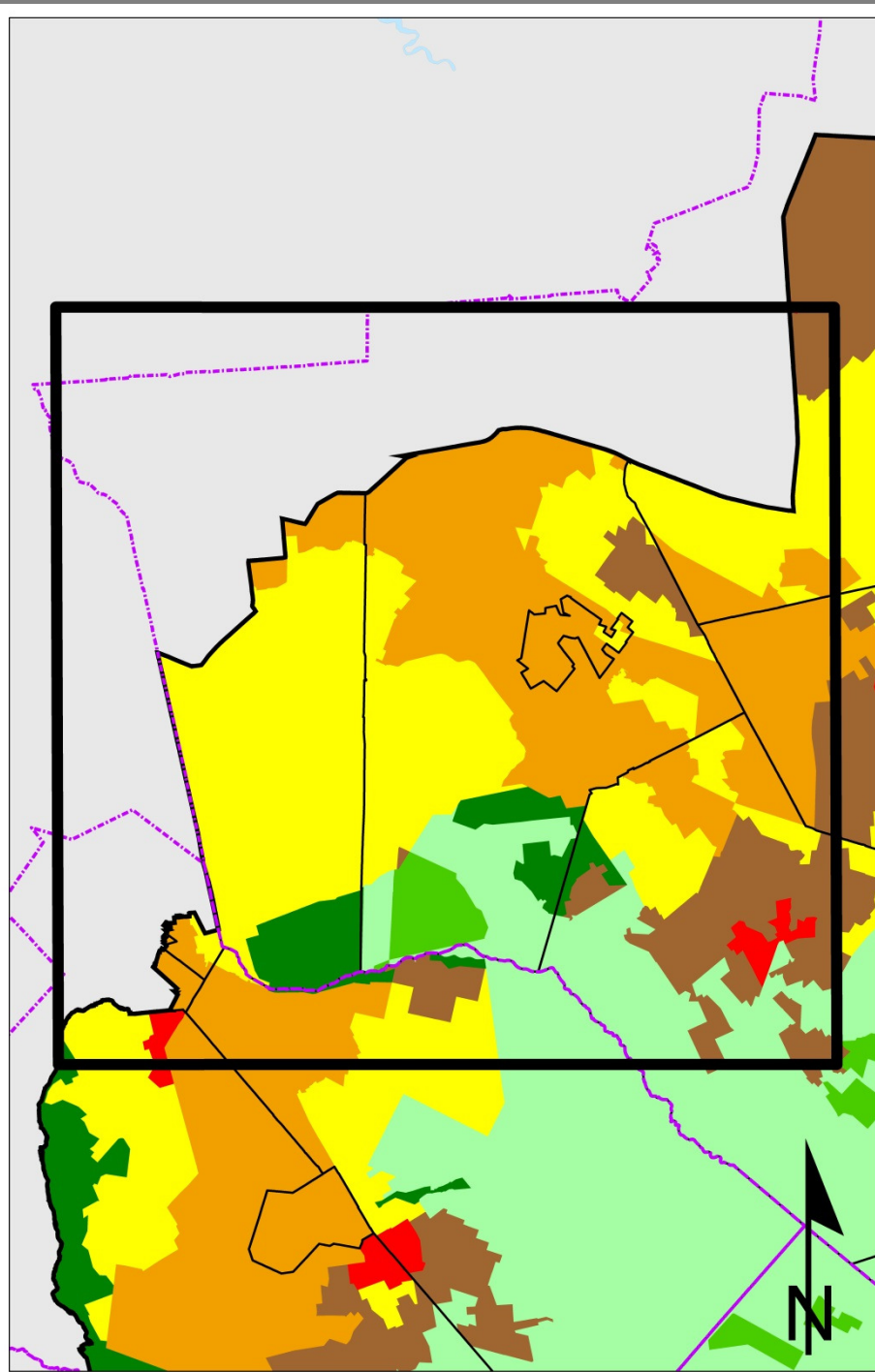
CMP Policy & Implementation Committee



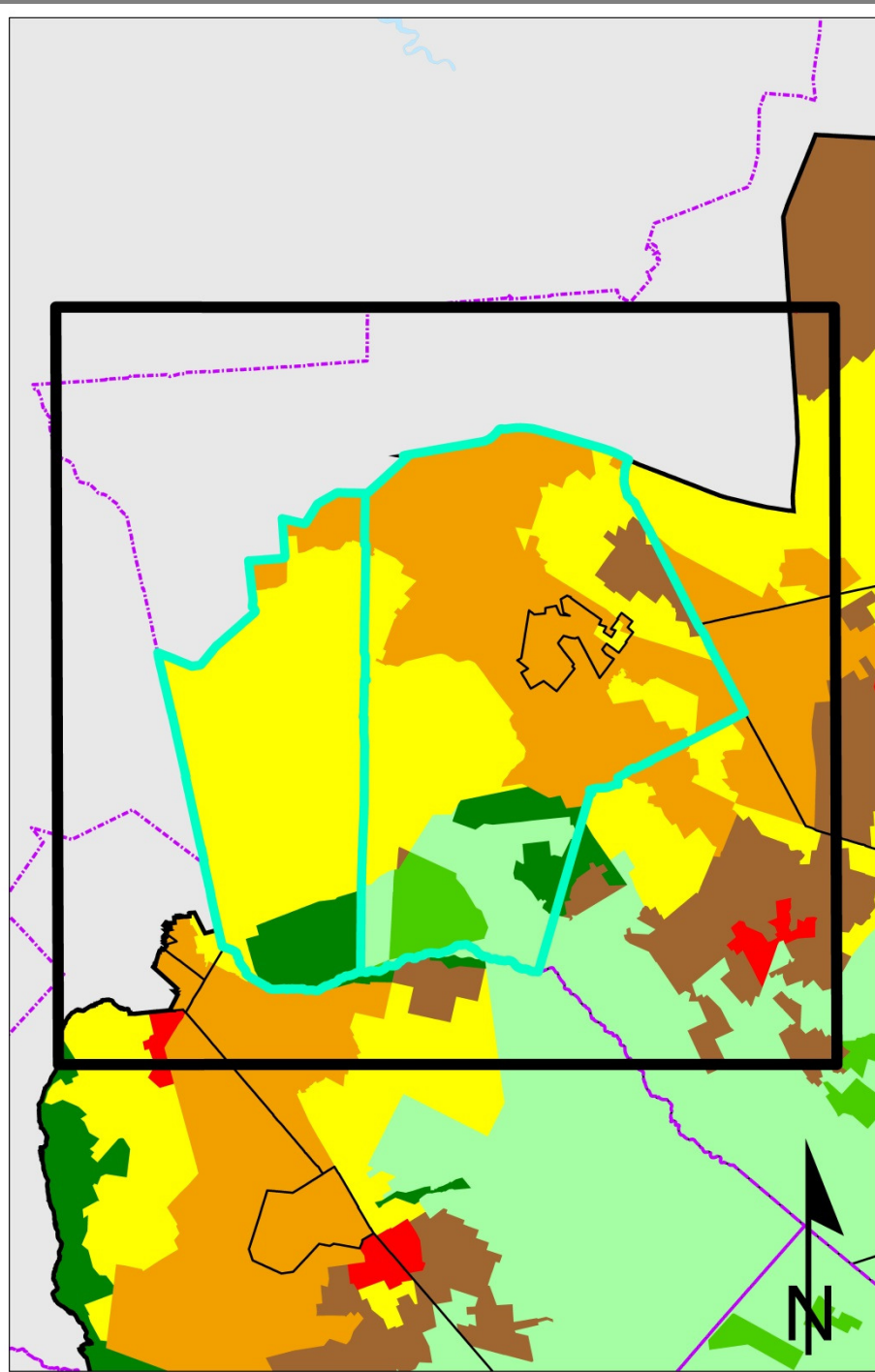
Pinelands Area



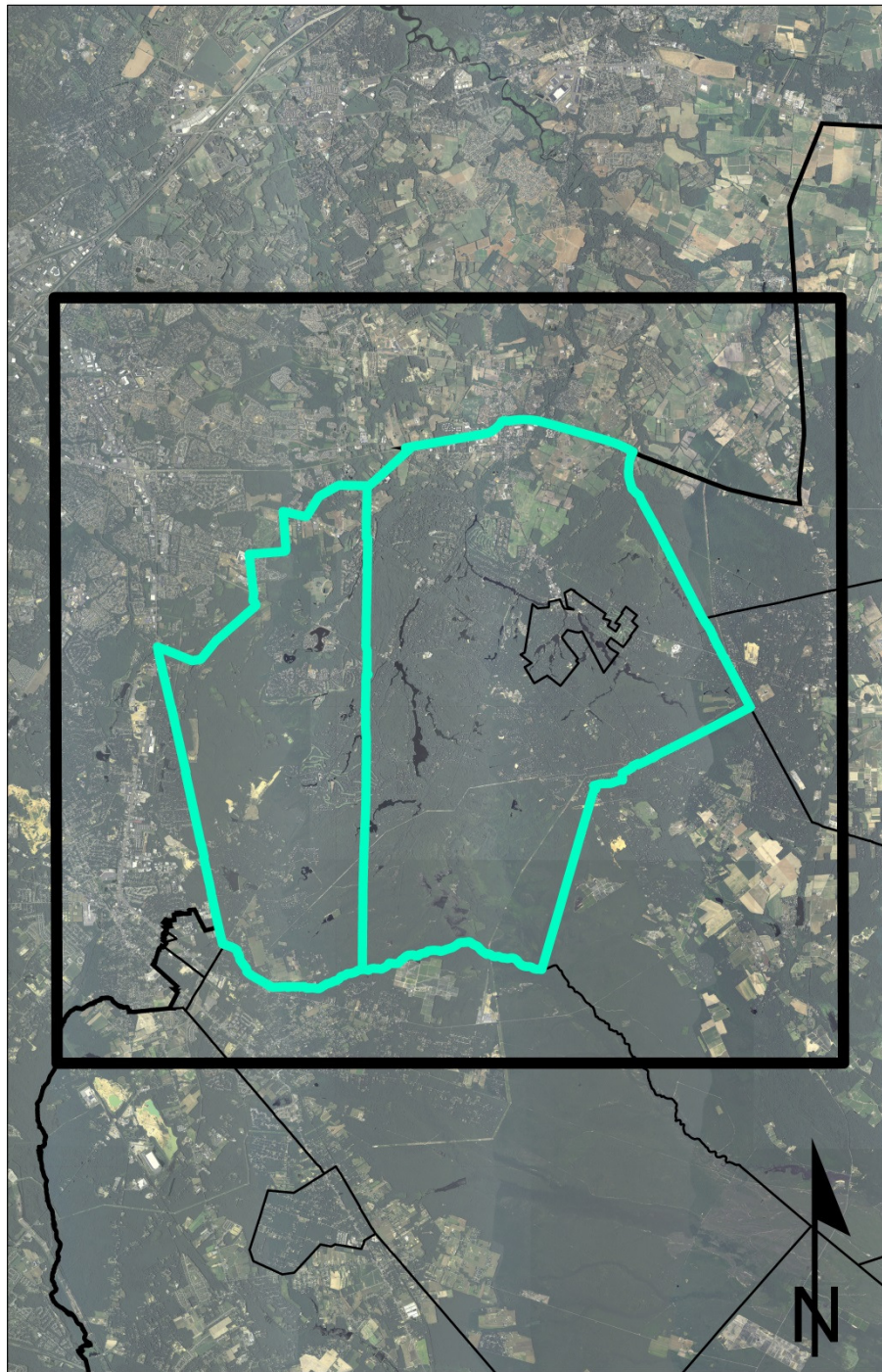
Area of Interest



Area of Interest



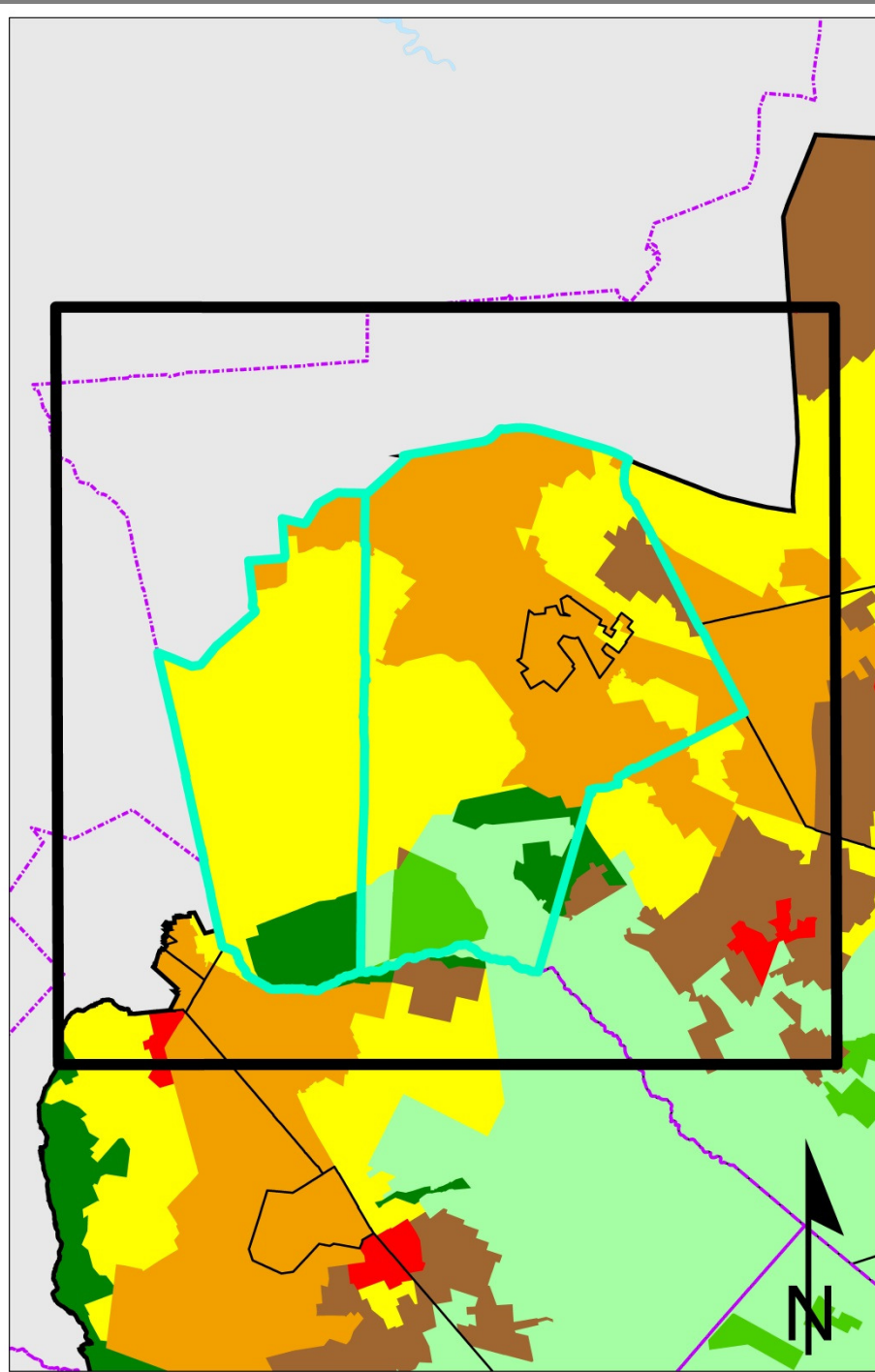
Evesham &  
Medford Twps.



Evesham &  
Medford Twps.

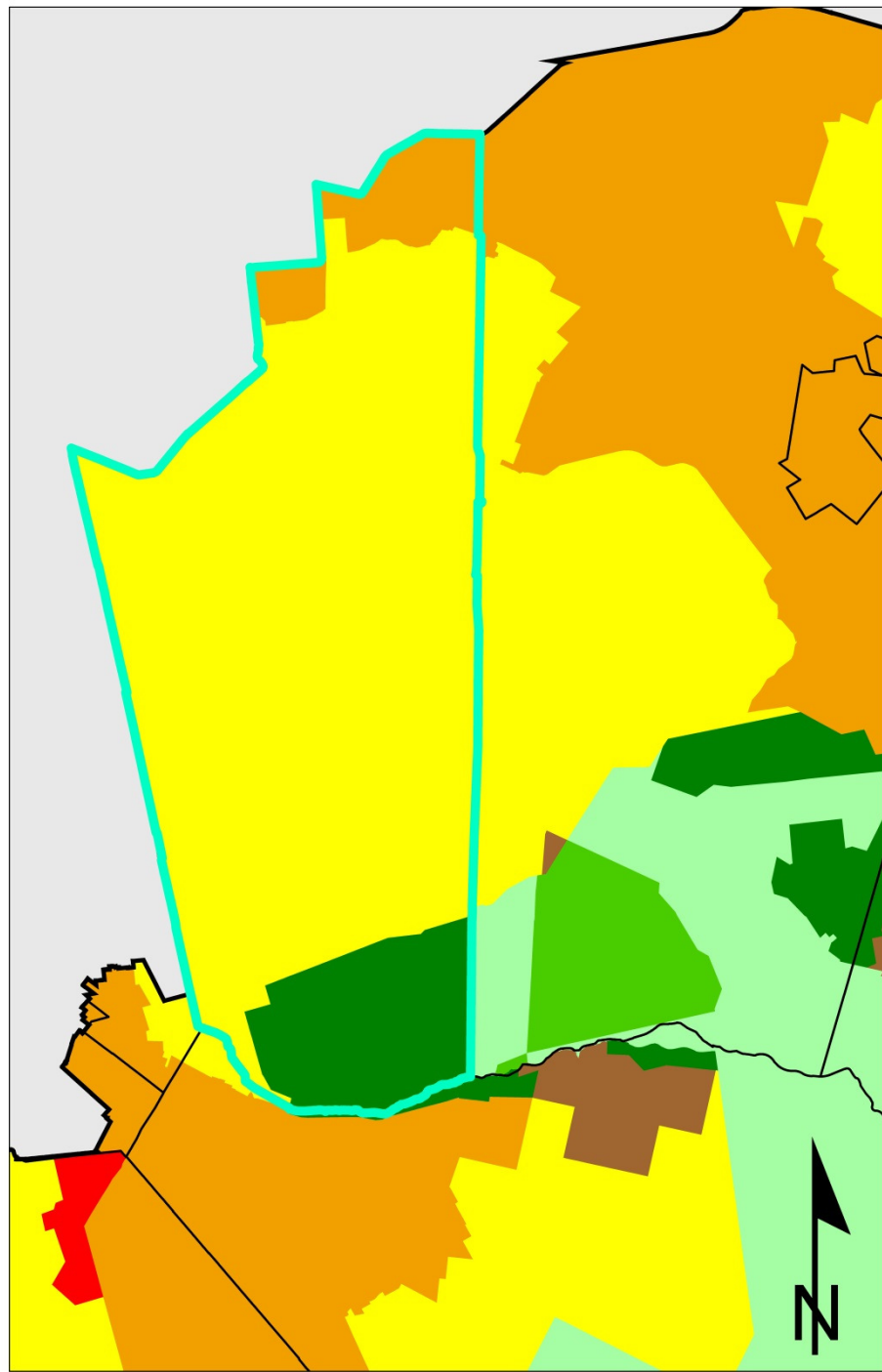
## What is the Black Run?

- A stream network
  - Pristine, characteristic Pinelands waters
- Its watershed
  - Pinelands habitat with high-ecological integrity scores
  - T&E Species
    - Uplands
      - Northern Pine snake (*Pituophis melanoleucus*)(nesting and foraging)
      - Timber rattlesnake (*Crotalus horridus*)(foraging)
    - Wetlands
      - Swamp Pink (*Helonias bullata*)
      - Timber rattlesnake (*Crotalus horridus*)
      - Barred owl (*Strix varia*)

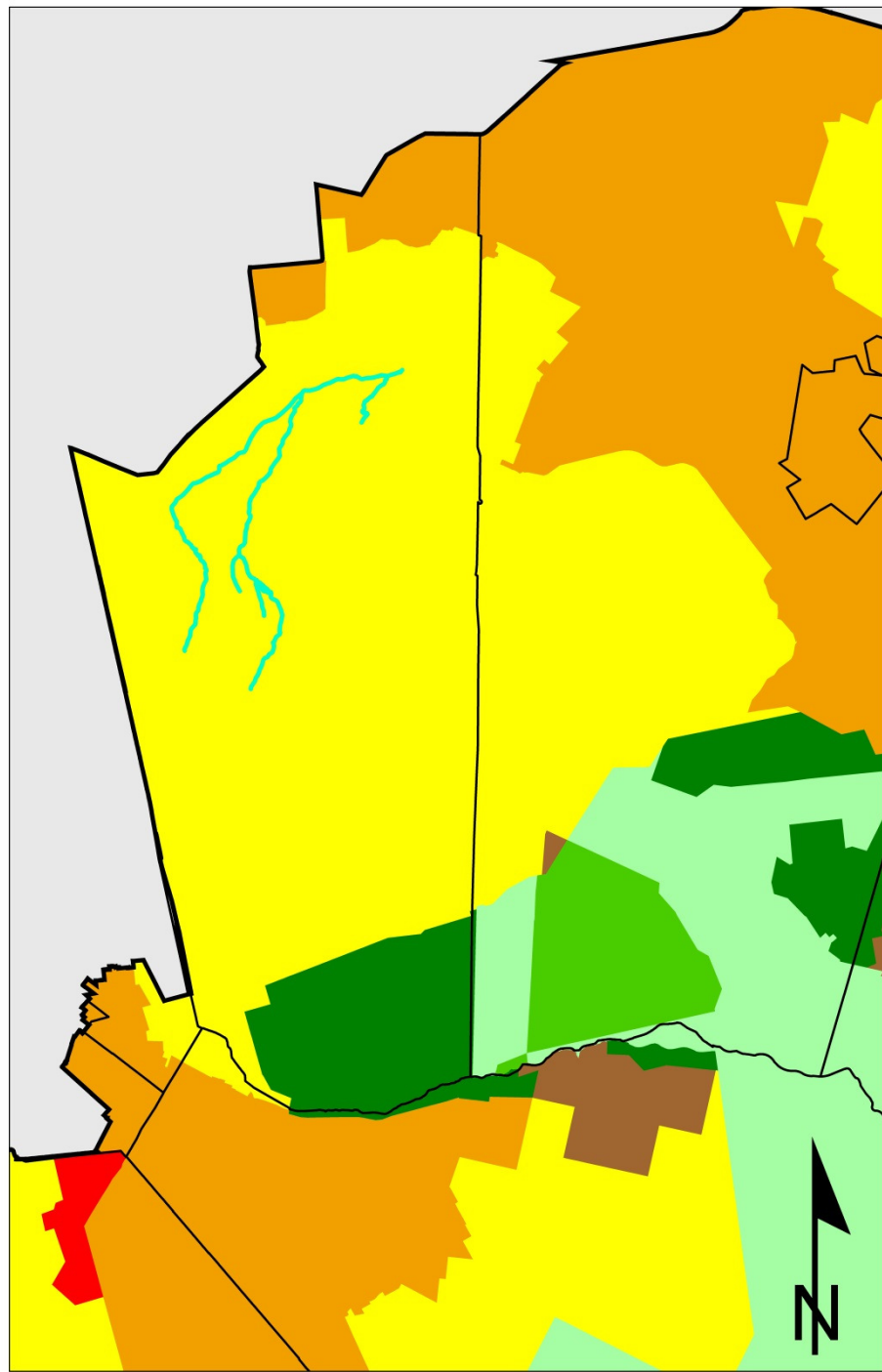


Evesham &  
Medford Twps.

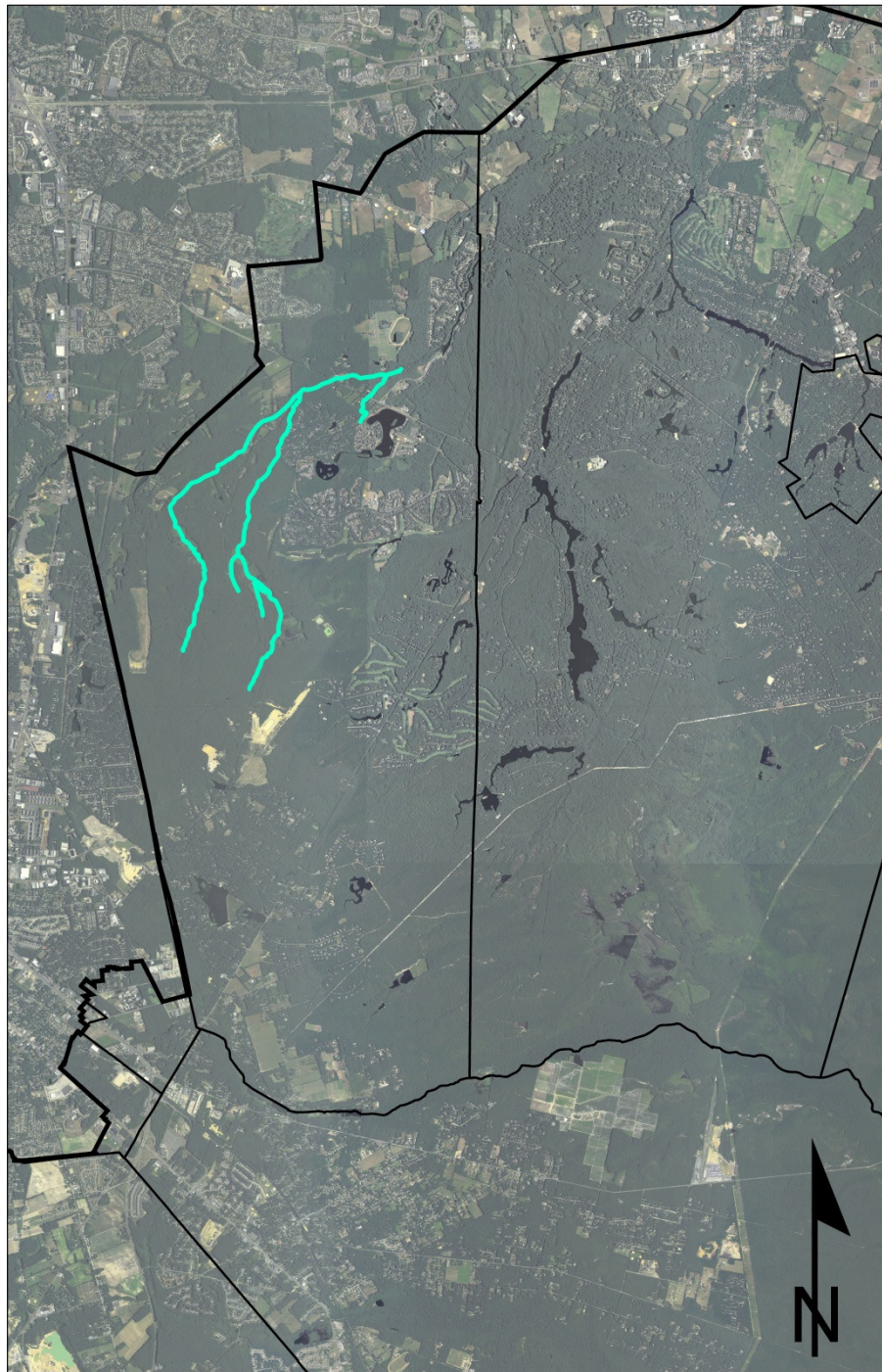




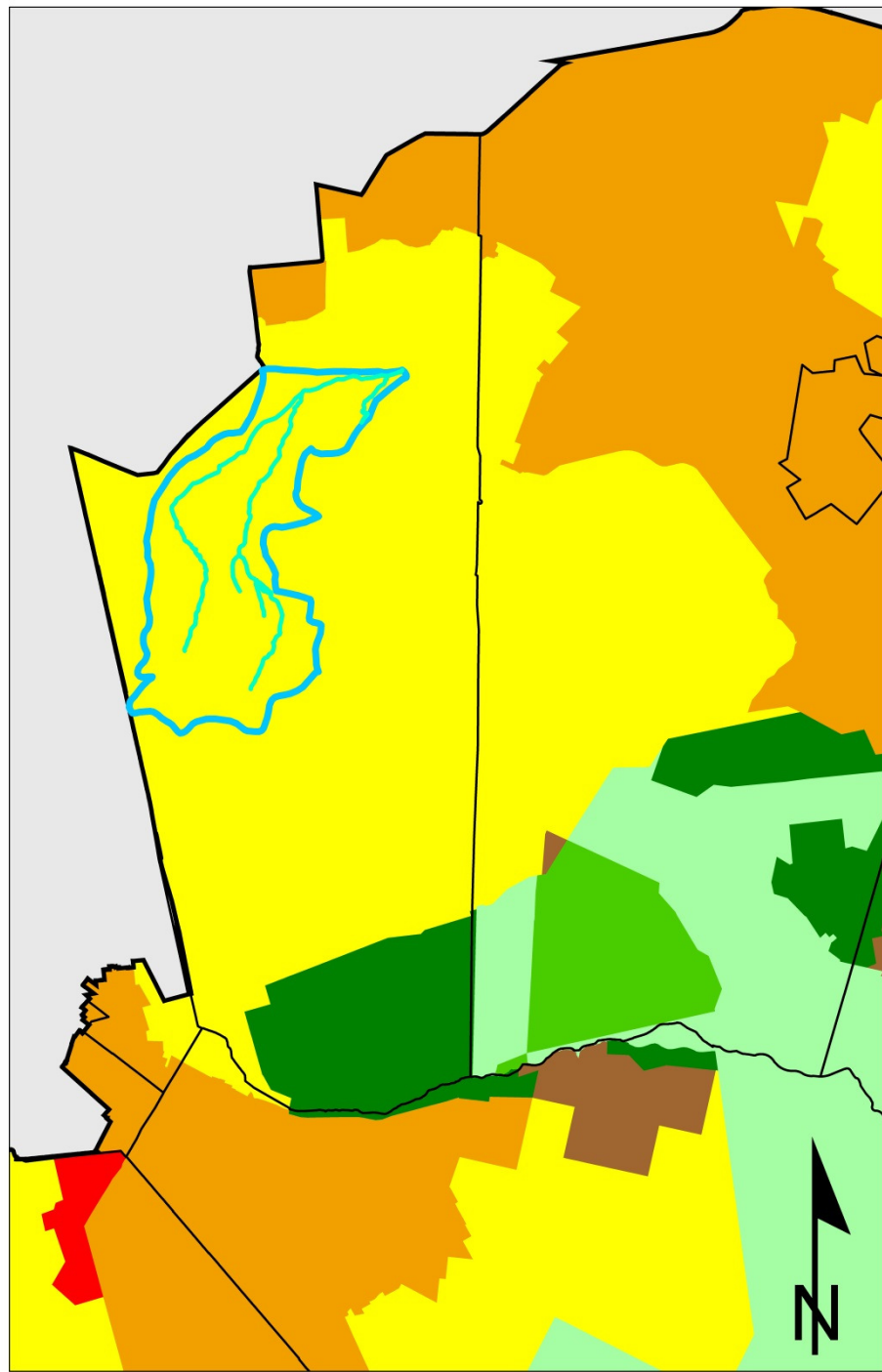
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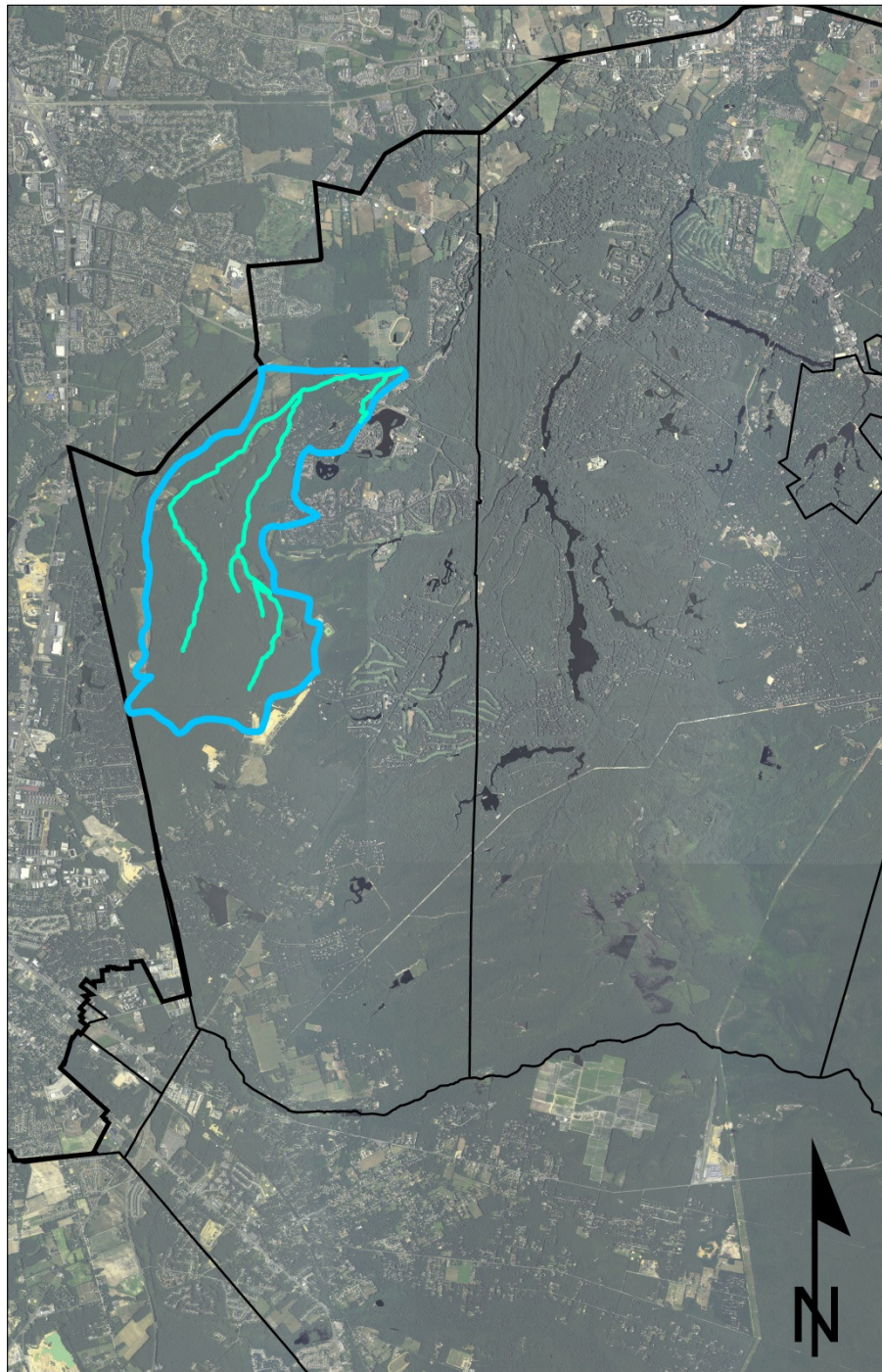
# Black Run Stream Network



# Black Run Stream Network



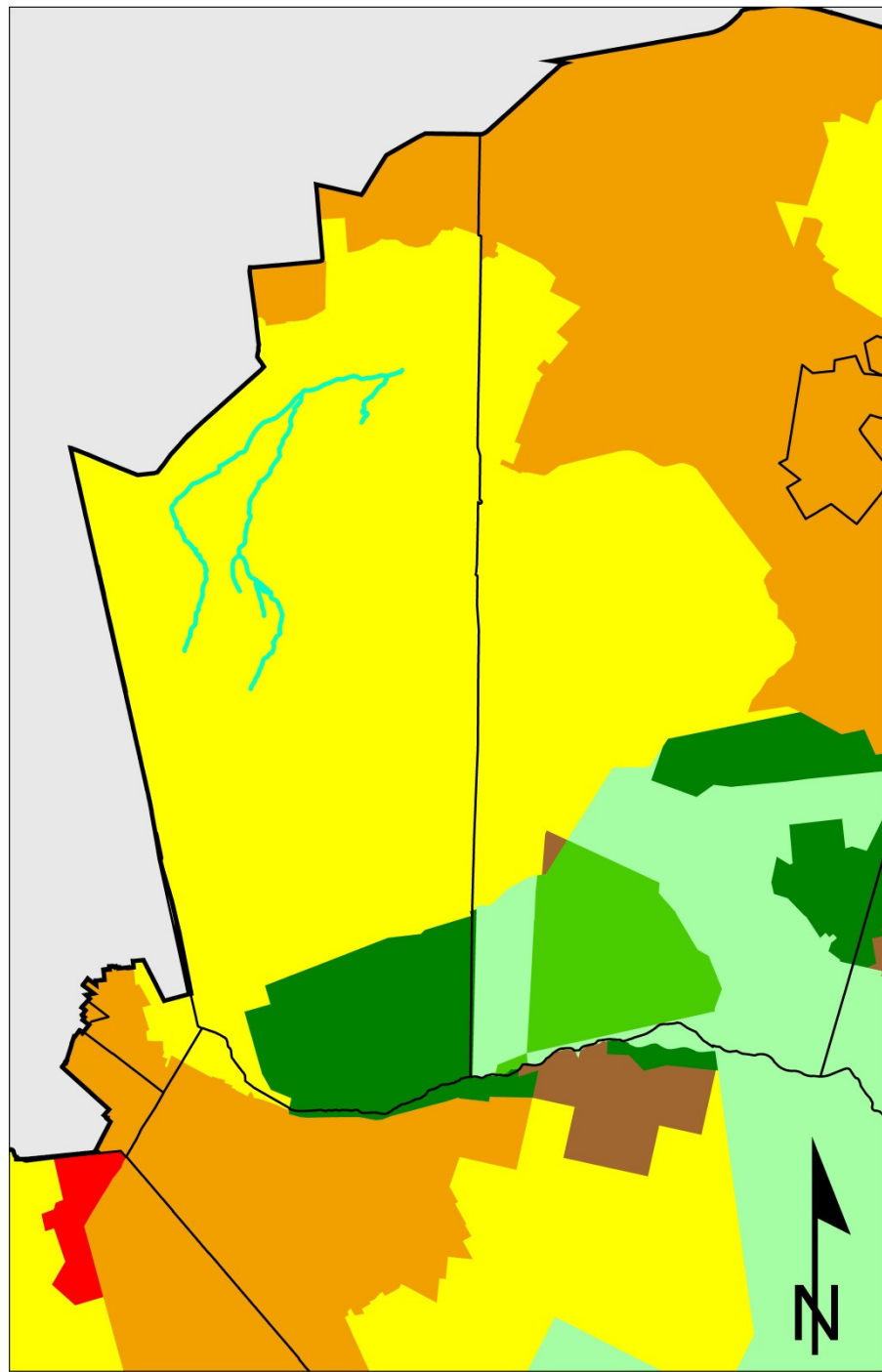
# Black Run Watershed



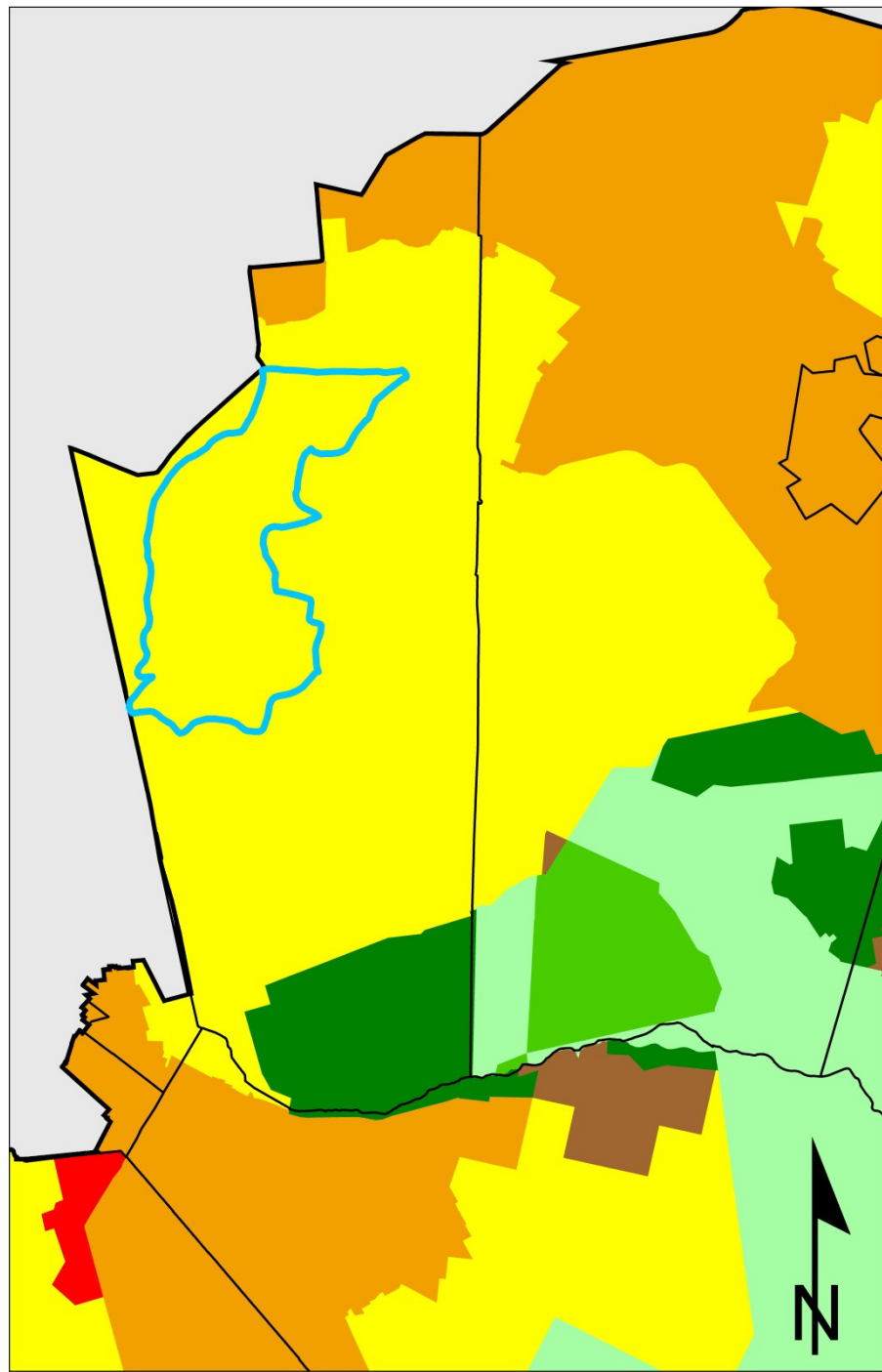
# Black Run Watershed

## Why Protect the Black Run?

- To preserve the Black Run, its headwaters, and its watershed in its current, nearly pristine state
- To preserve a headwaters of the Rancocas
- To protect threatened and endangered plant and animal species' habitat
- To provide ancillary protection to other permanently protected lands in the area
- To better protect cultural resources (historic & prehistoric) in the area

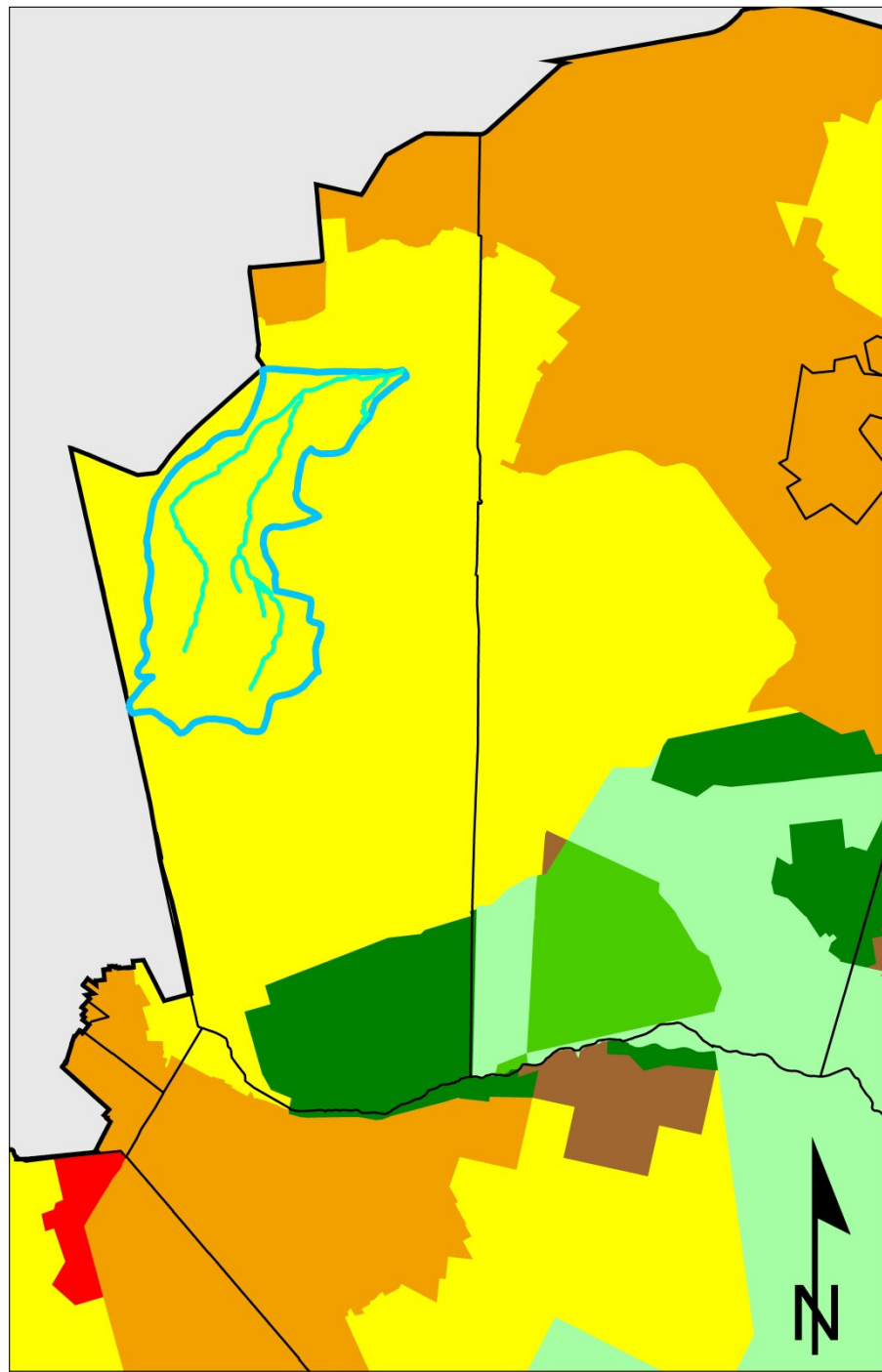


# Black Run Stream Network

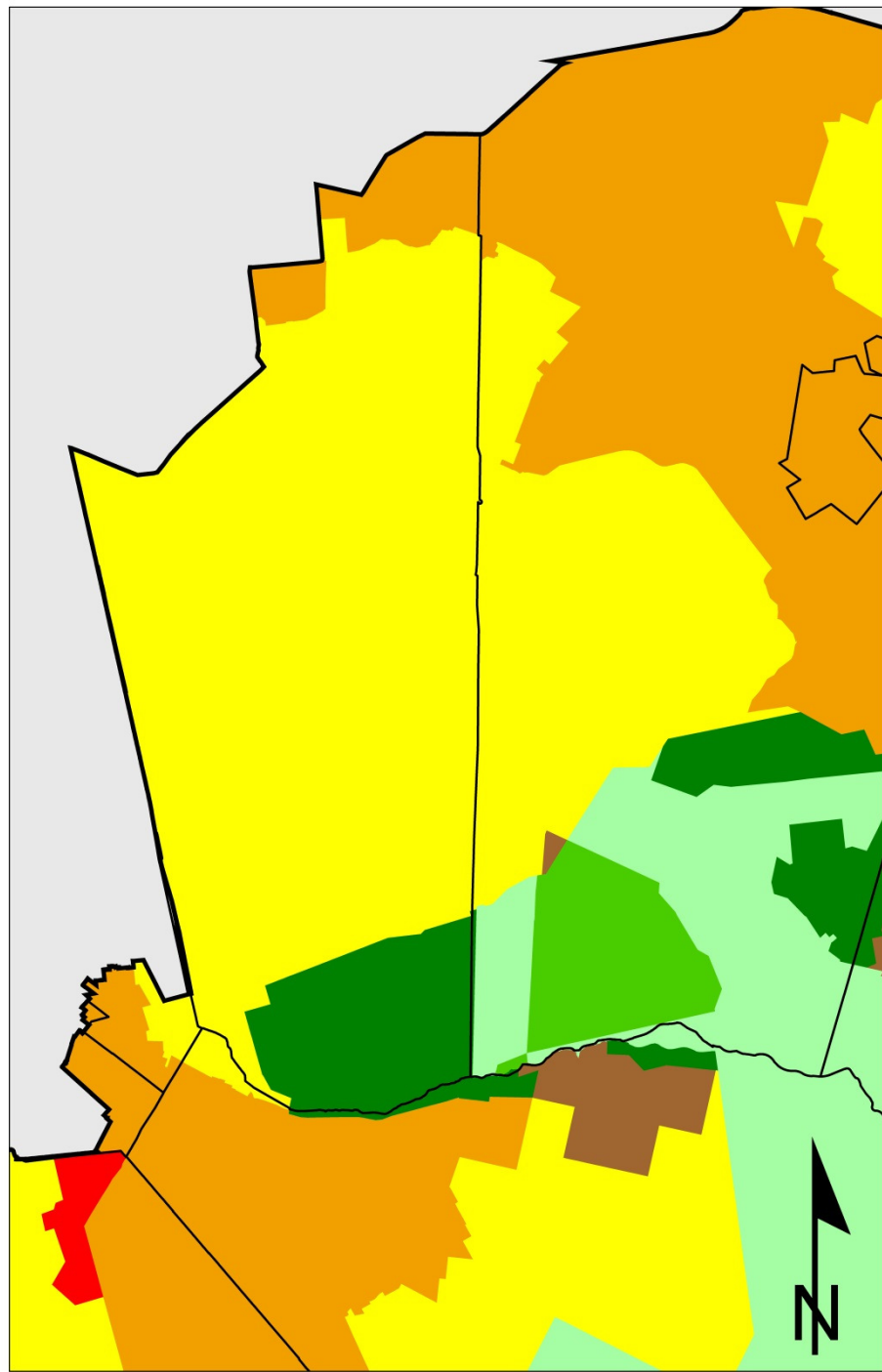


# Black Run Watershed

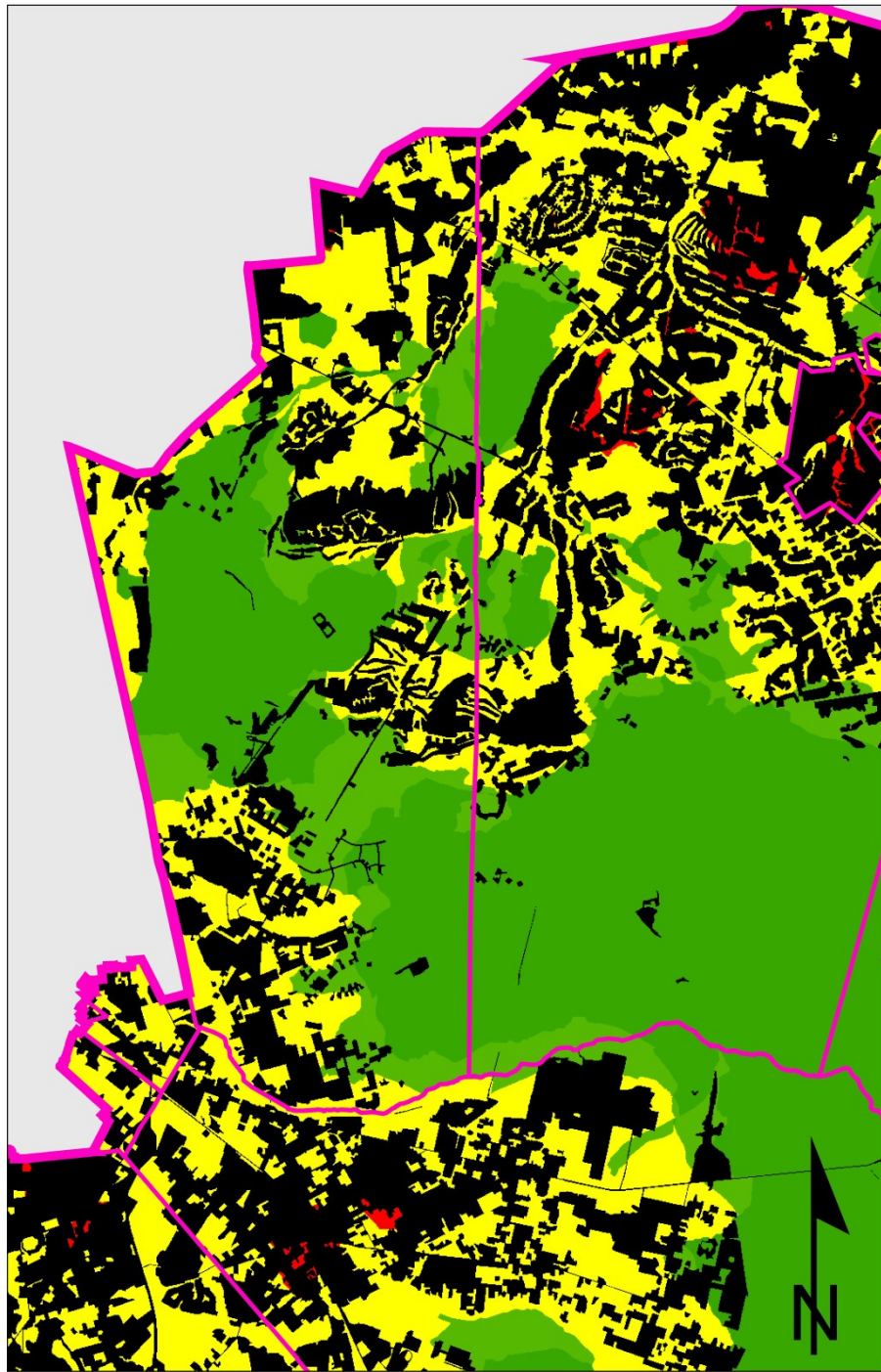




# Black Run Watershed

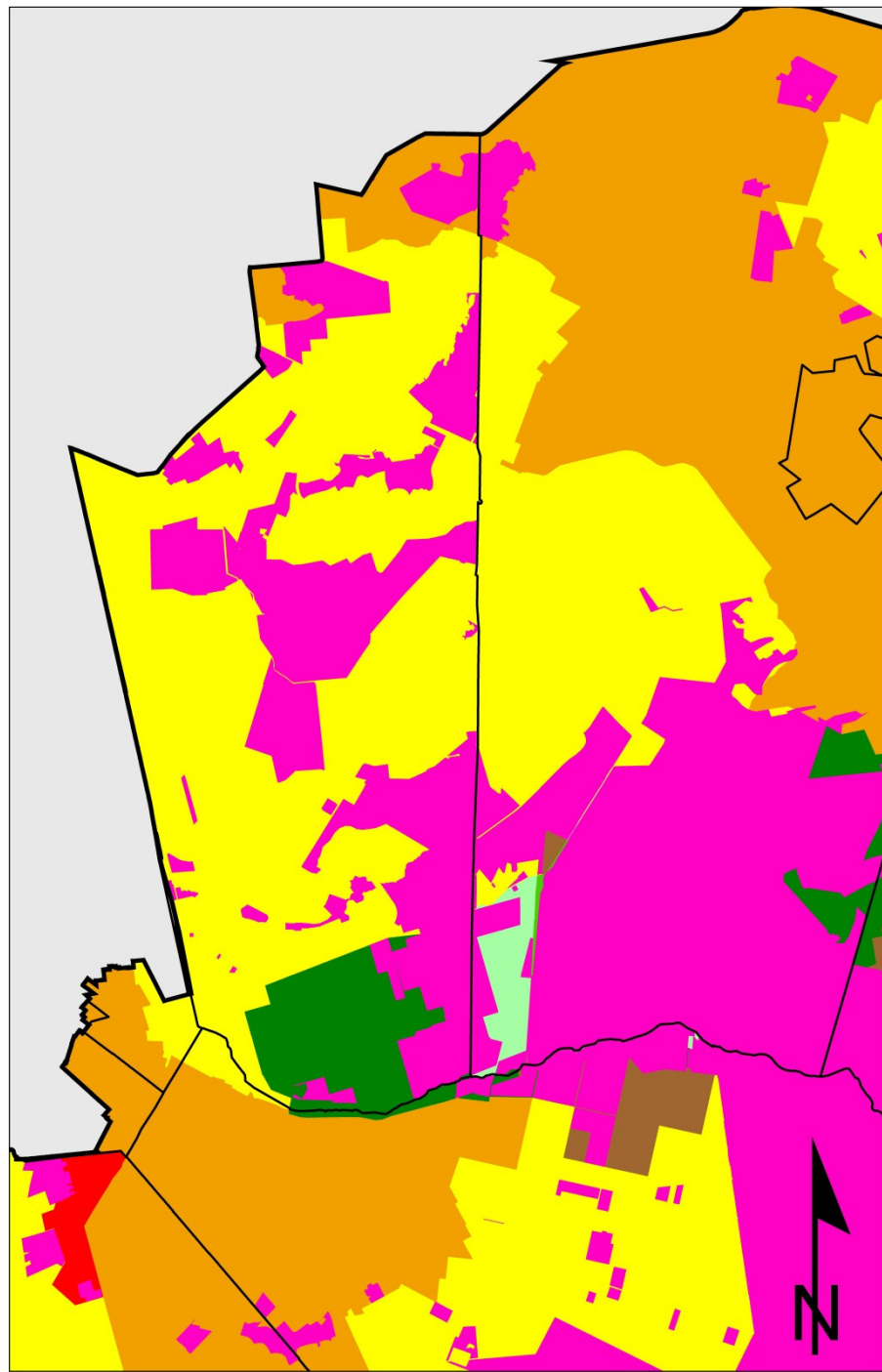


Area of Interest

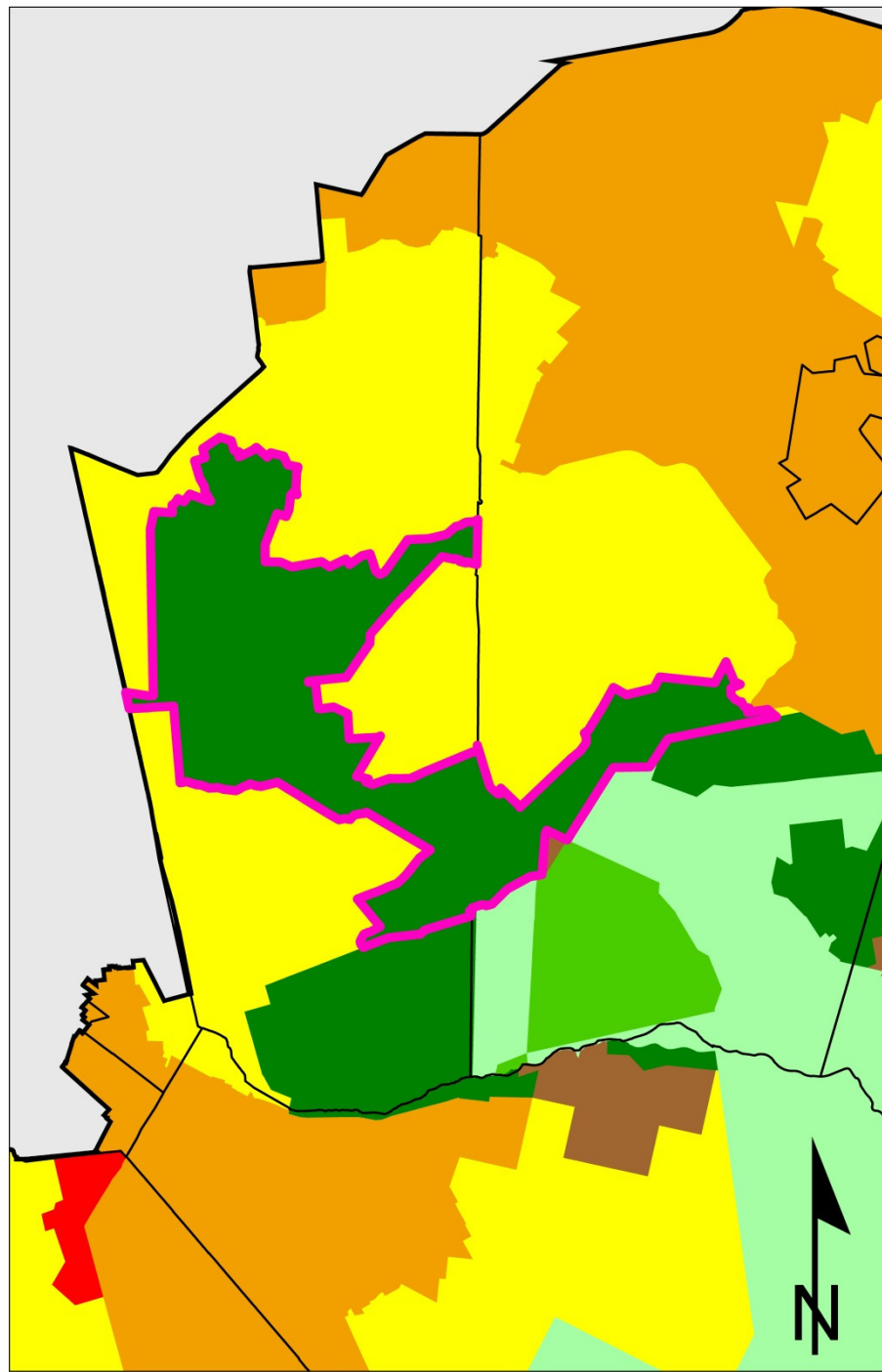


# Ecological Integrity

Black = Developed/altered land  
Red = Low  
Green = High

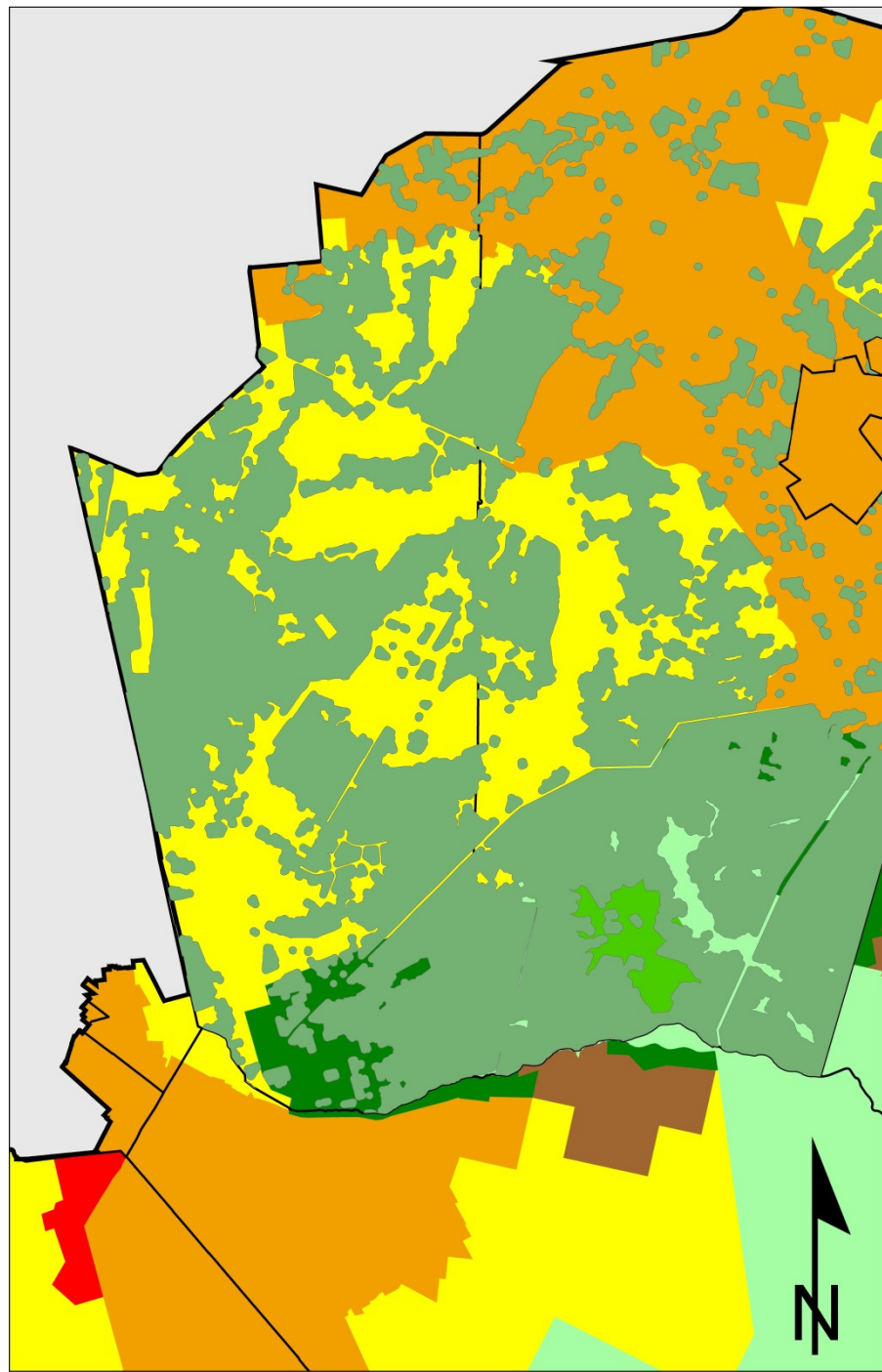


Permanently  
Protected Lands



Medford-Evesham Plan

EIA/Management Area  
Change Rule Proposal



DEP's Landscape  
Project Habitat  
Patches

# Protecting the Black Run Watershed & Adjacent Areas of High Ecological-Integrity

- **Option 1: No Change**
  - Retain RDA management area designation
  - Continue to rely on the CMP and Evesham's ordinances to protect the Black Run watershed
    - Mandatory clustering
    - RDA residential densities (3.2 ac, 4 ac, 6 ac, or 10 ac)

# Protecting the Black Run Watershed & Adjacent Areas of High Ecological-Integrity

- **Option 2: Expand the Forest Area**
  - Redesignate +/- 4,000 acres from RDA to FA in Evesham and Medford
  - Rely on original FA delineation criteria in the CMP and the EIA
  - Decrease permitted density to 1 du/25 acres
  - Include public and permanently protected lands

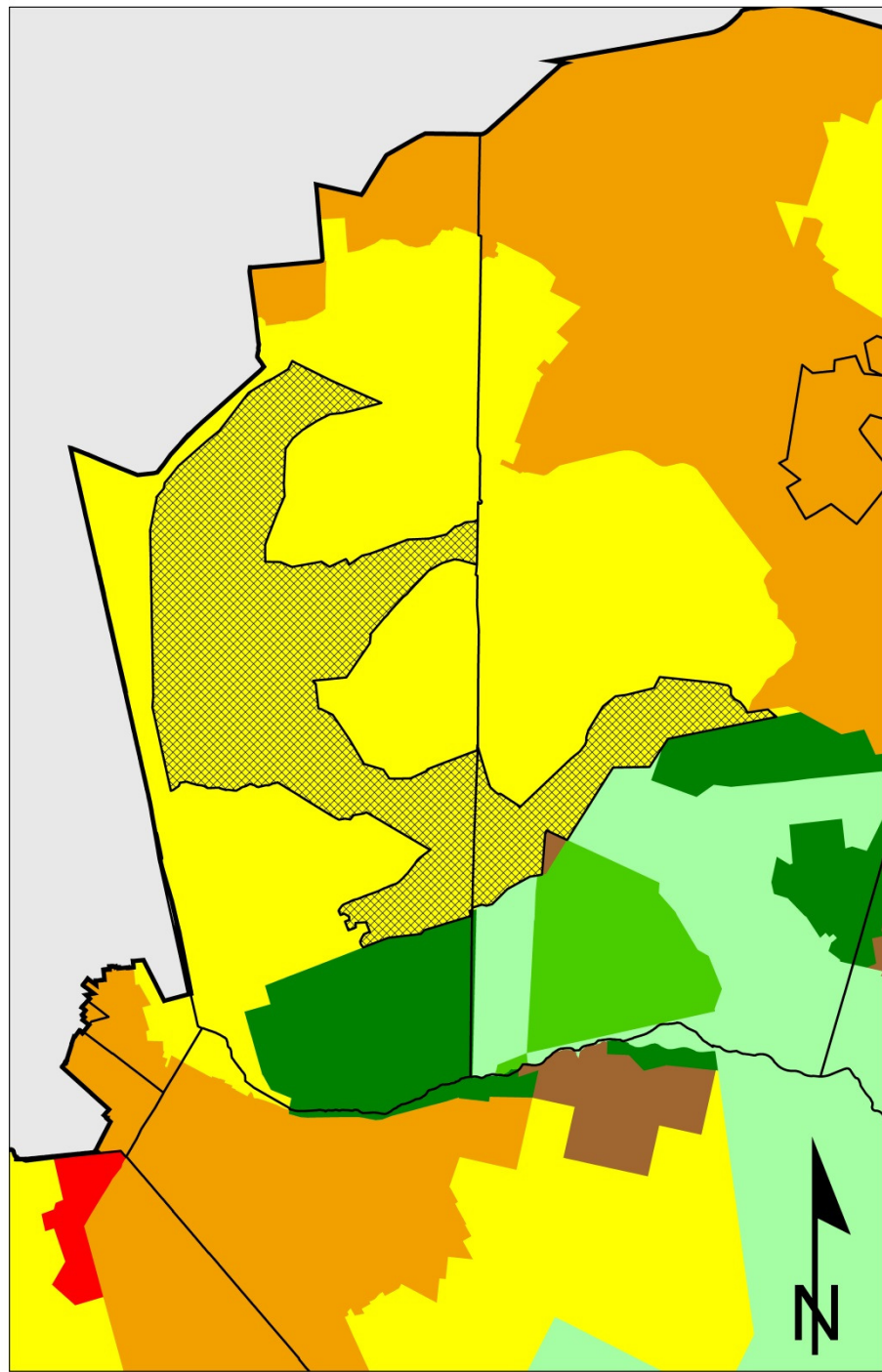


## Original CMP Standards for FA Designation

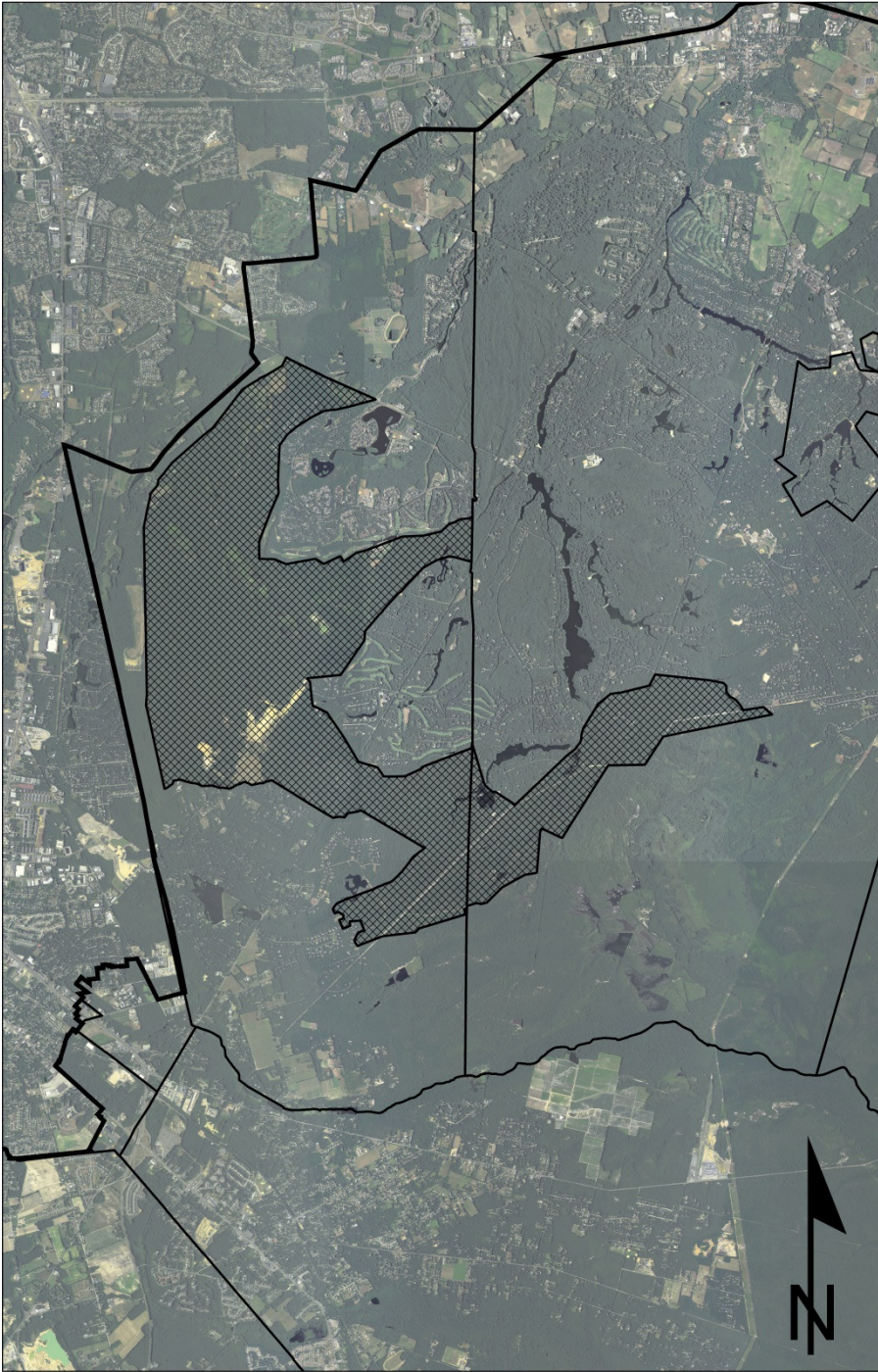
- Ecologically critical areas
- Undisturbed watersheds
- Wetlands
- Cranberry cultivation areas and areas draining into them
- Areas of deep aquifer recharge
- Unique resources
- Public lands managed for resource protection or recreation

## Original CMP Standards for FA Designation

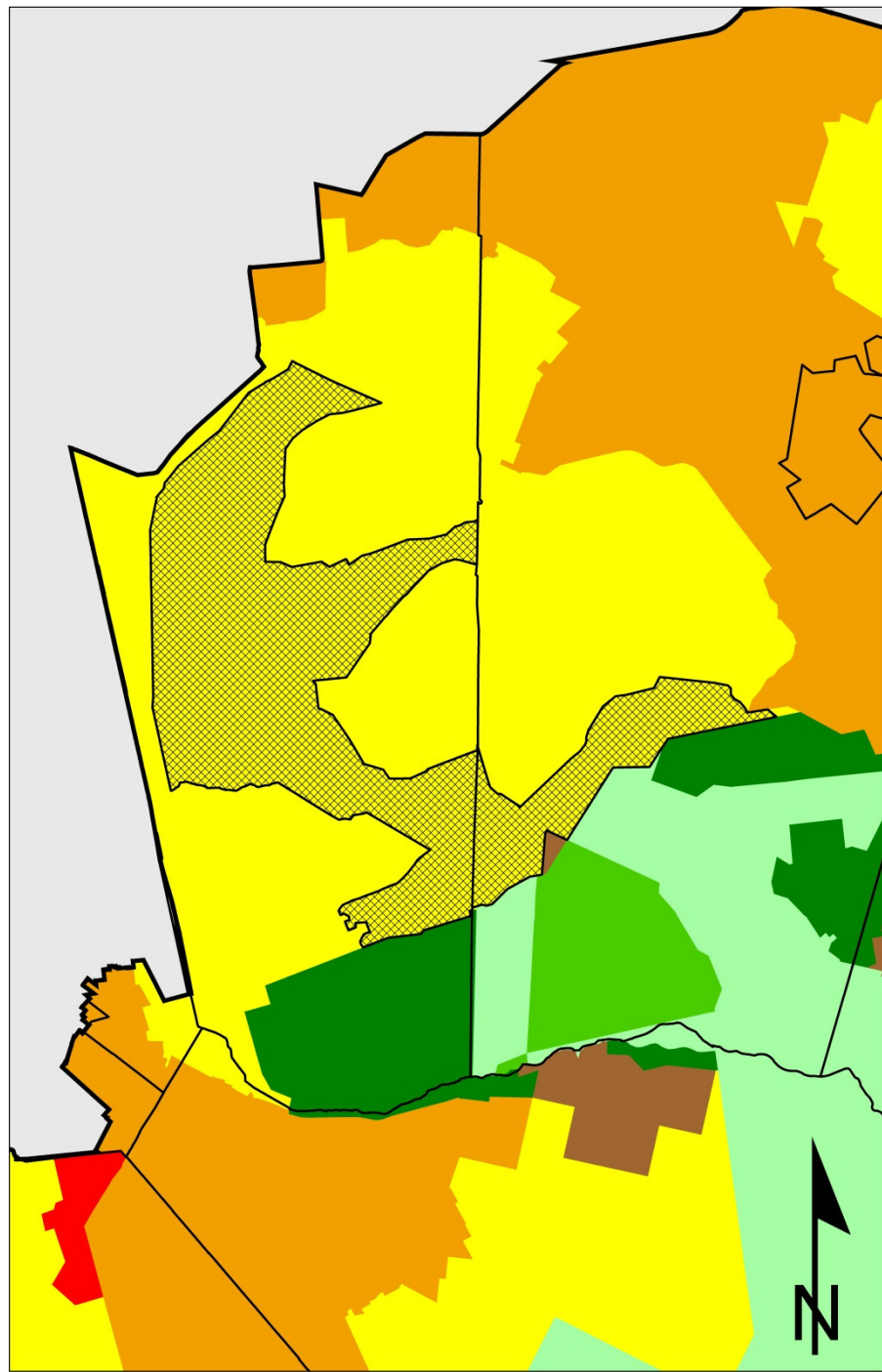
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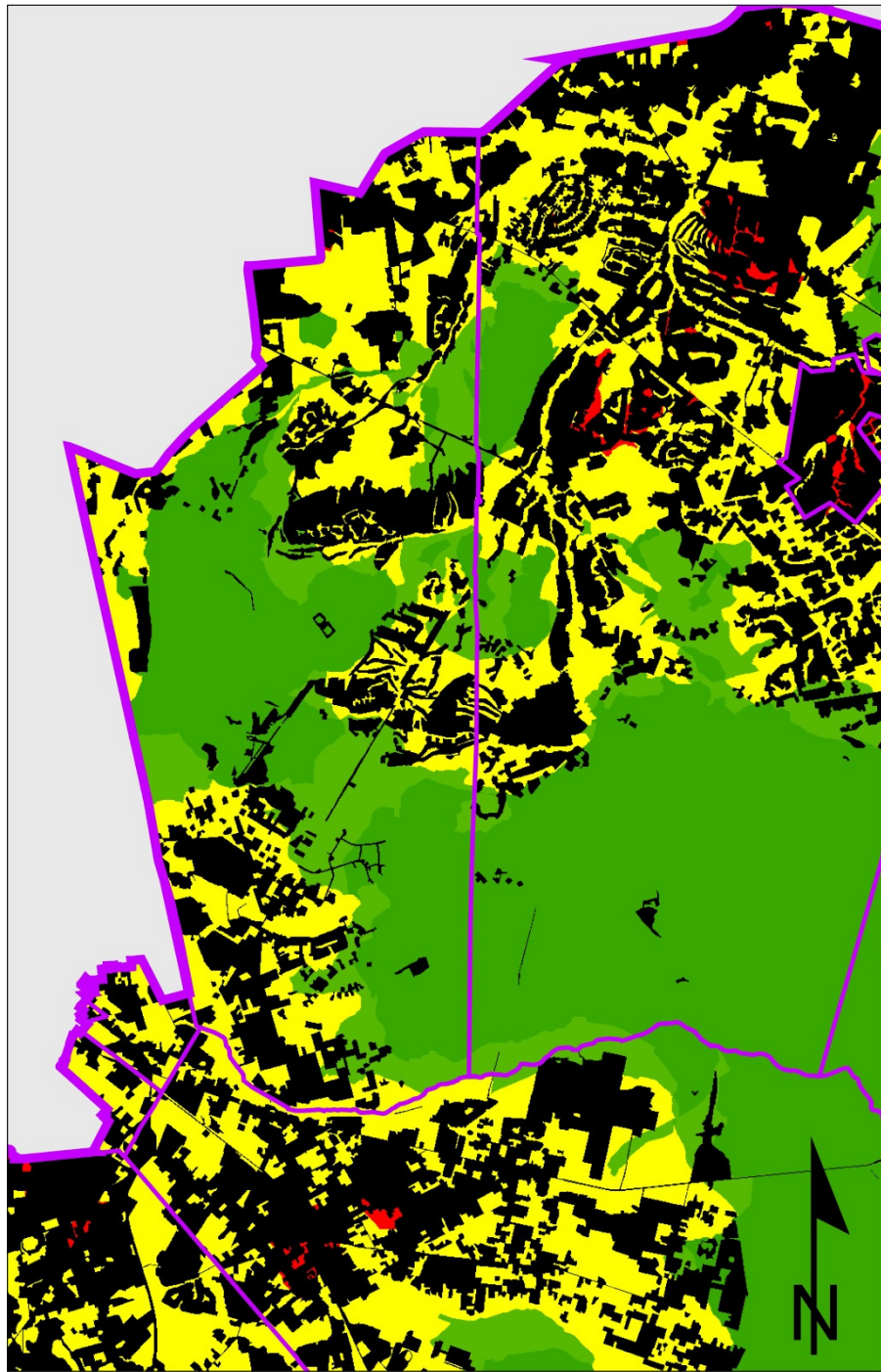
Proposed  
Forest Area



Proposed  
Forest Area

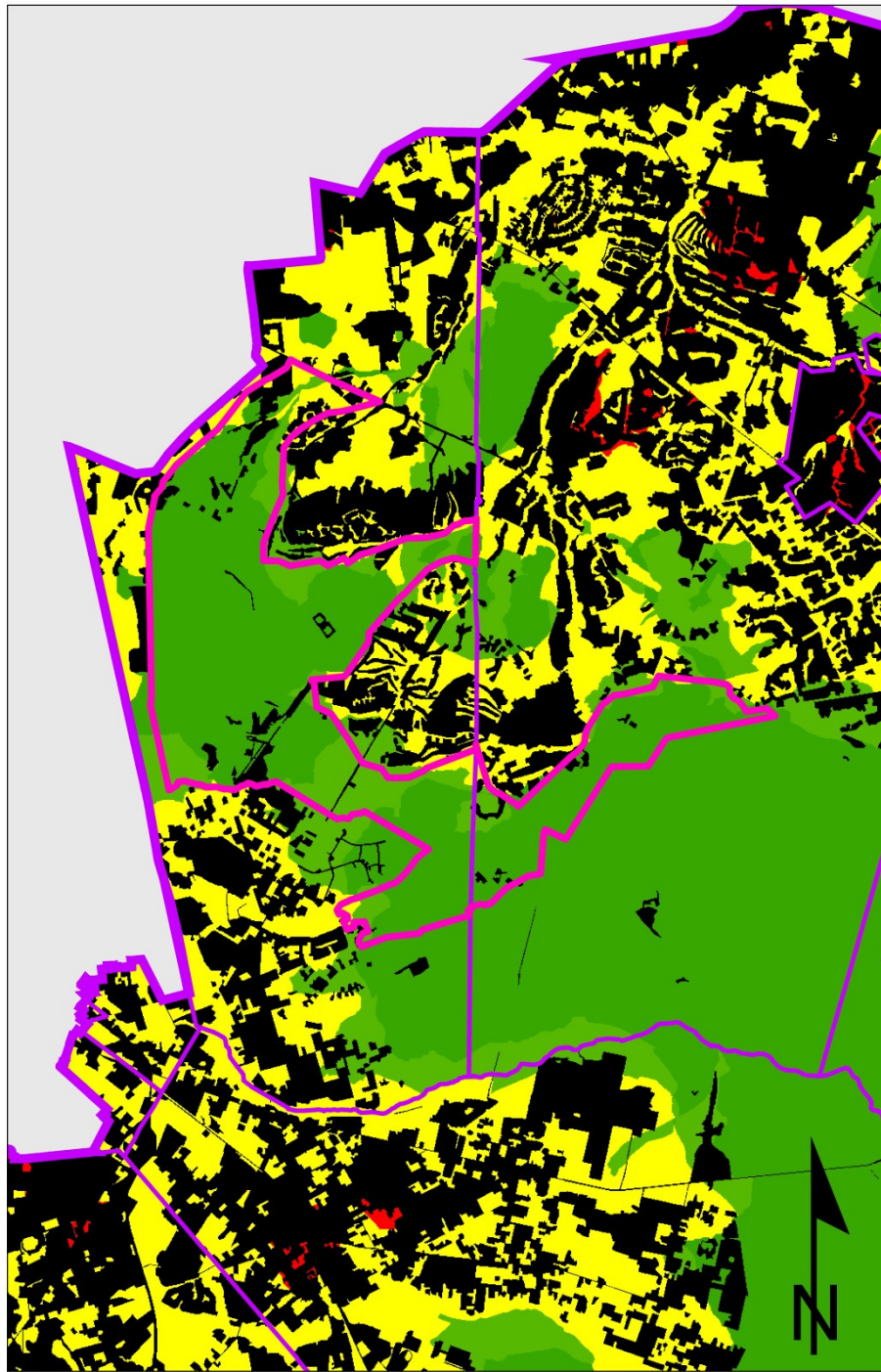


Proposed  
Forest Area



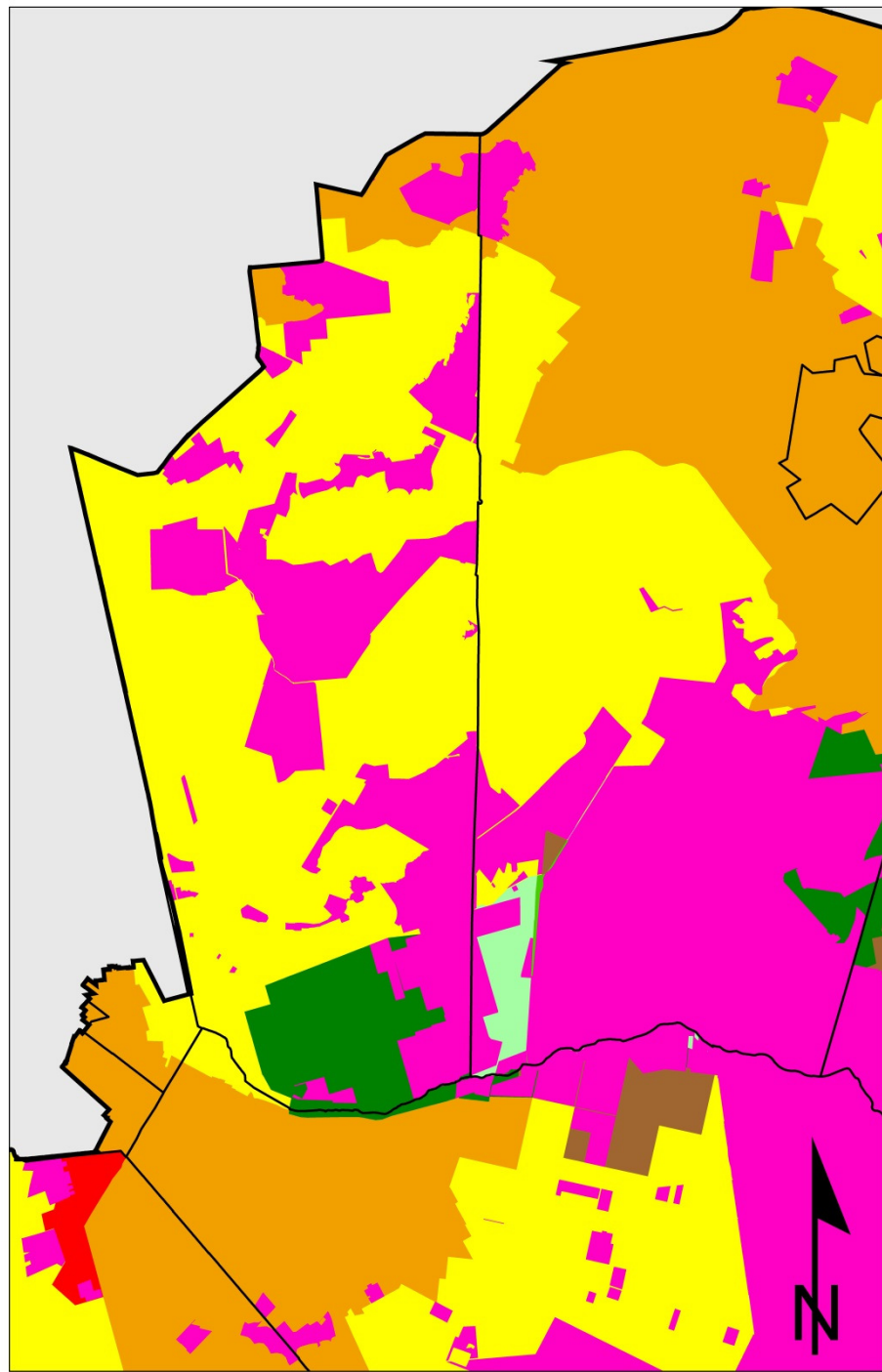
# Ecological Integrity

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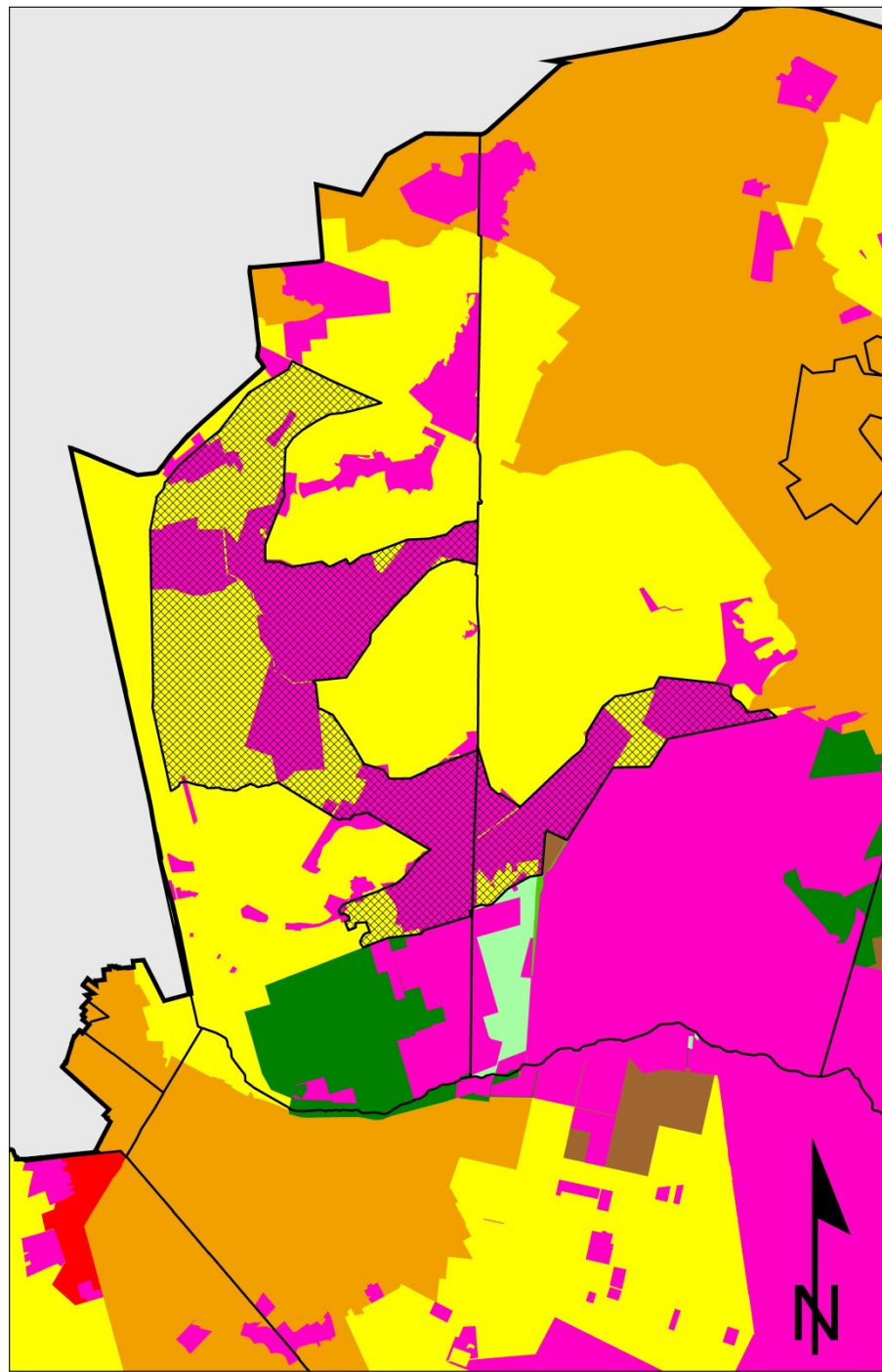
# Ecological Integrity

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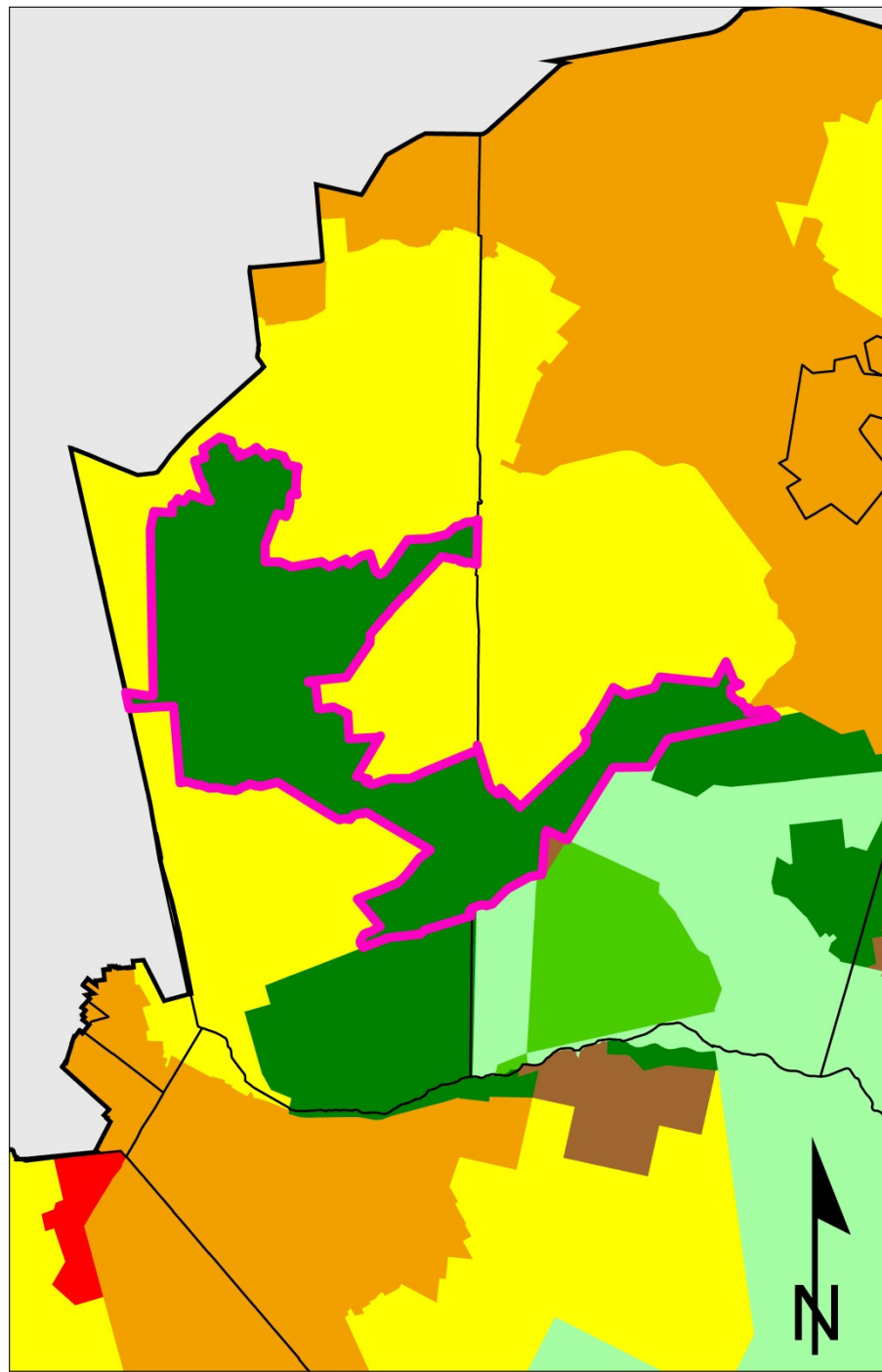


Permanently  
Protected Lands



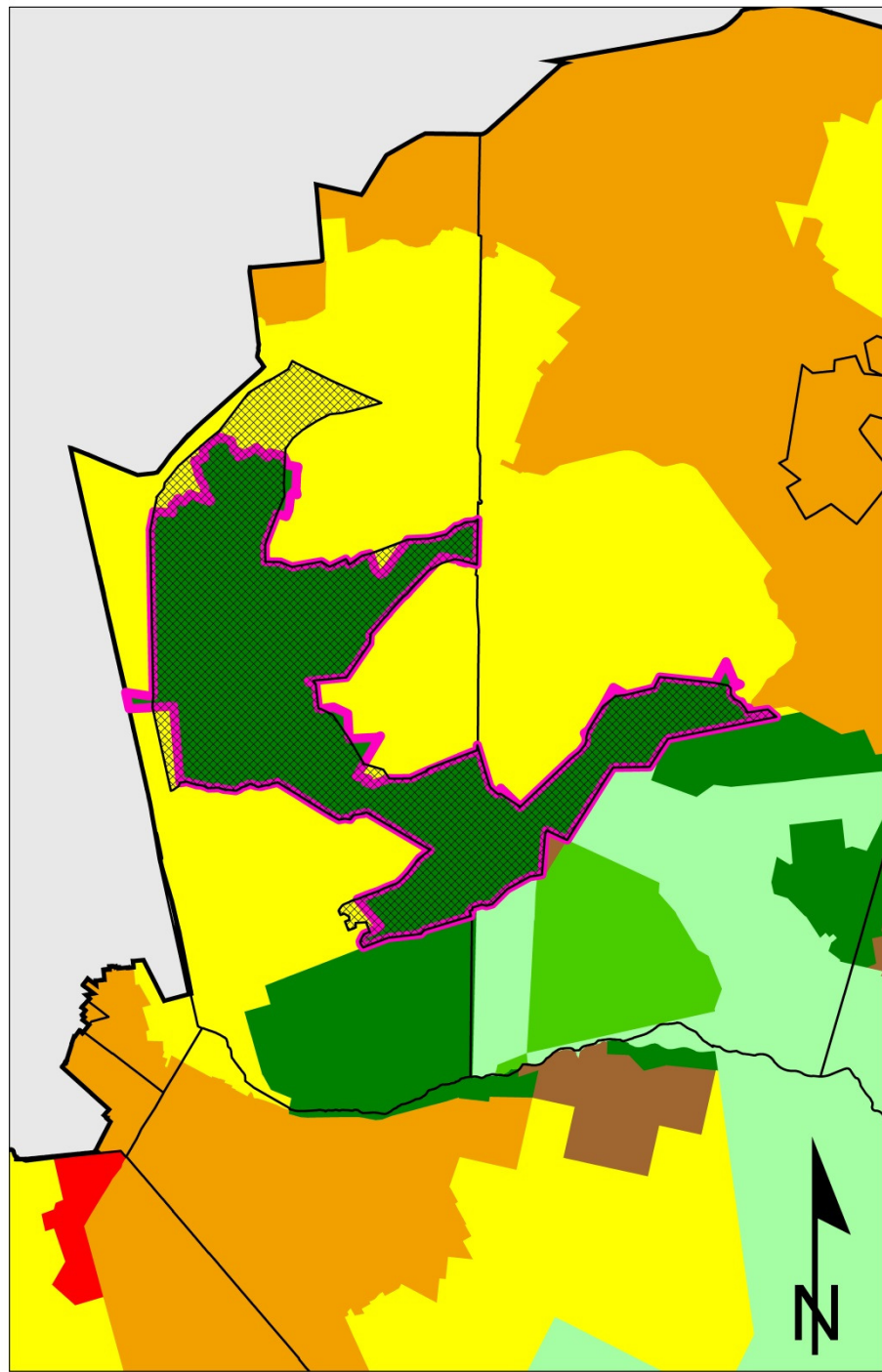


Permanently  
Protected Lands



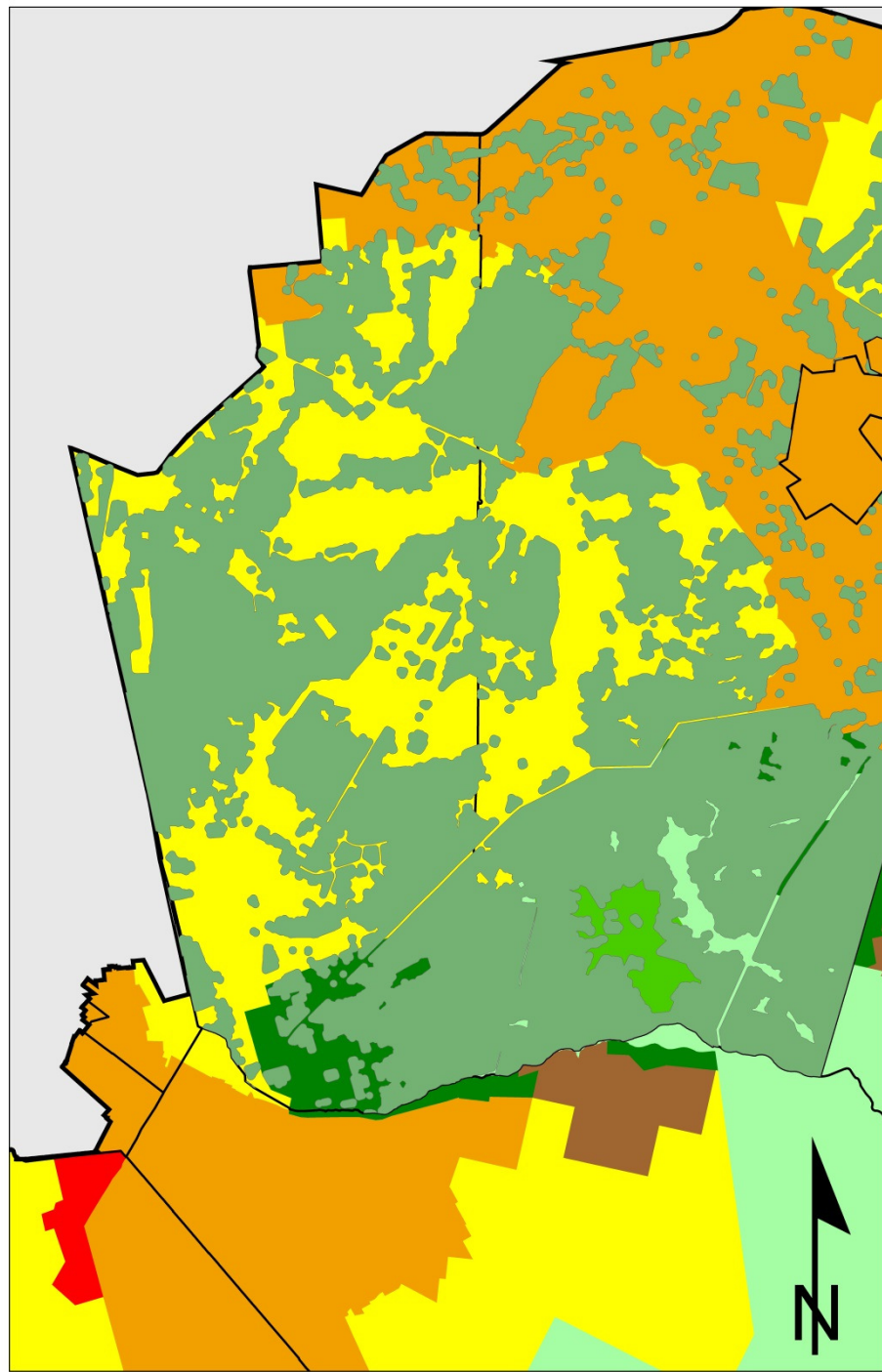
Medford-Evesham Plan

EIA/Management Area  
Change Rule Proposal

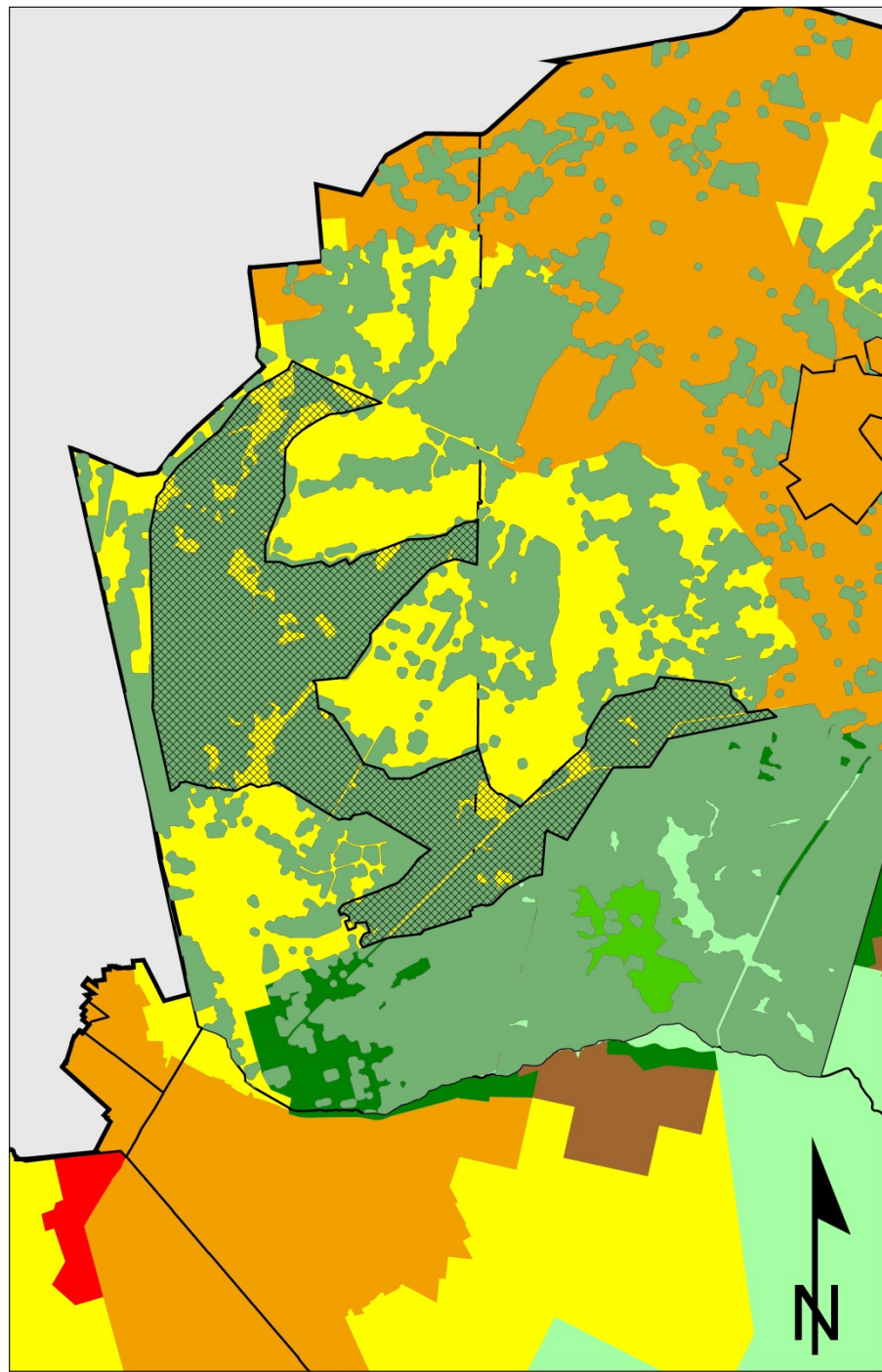


Medford-Evesham Plan

EIA/Management Area  
Change Rule Proposal



DEP's Landscape  
Project Habitat  
Patches



DEP's Landscape  
Project Habitat  
Patches

## Option 3: Forest Area with New Pilot Program

- Redesignate +/- 4,000 acres from RDA to FA
- Authorize a new Off-Site Clustering Pilot Program that would allow sewer residential development in a designated development area (RGA) if lands in a designated conservation area (FA) are protected.

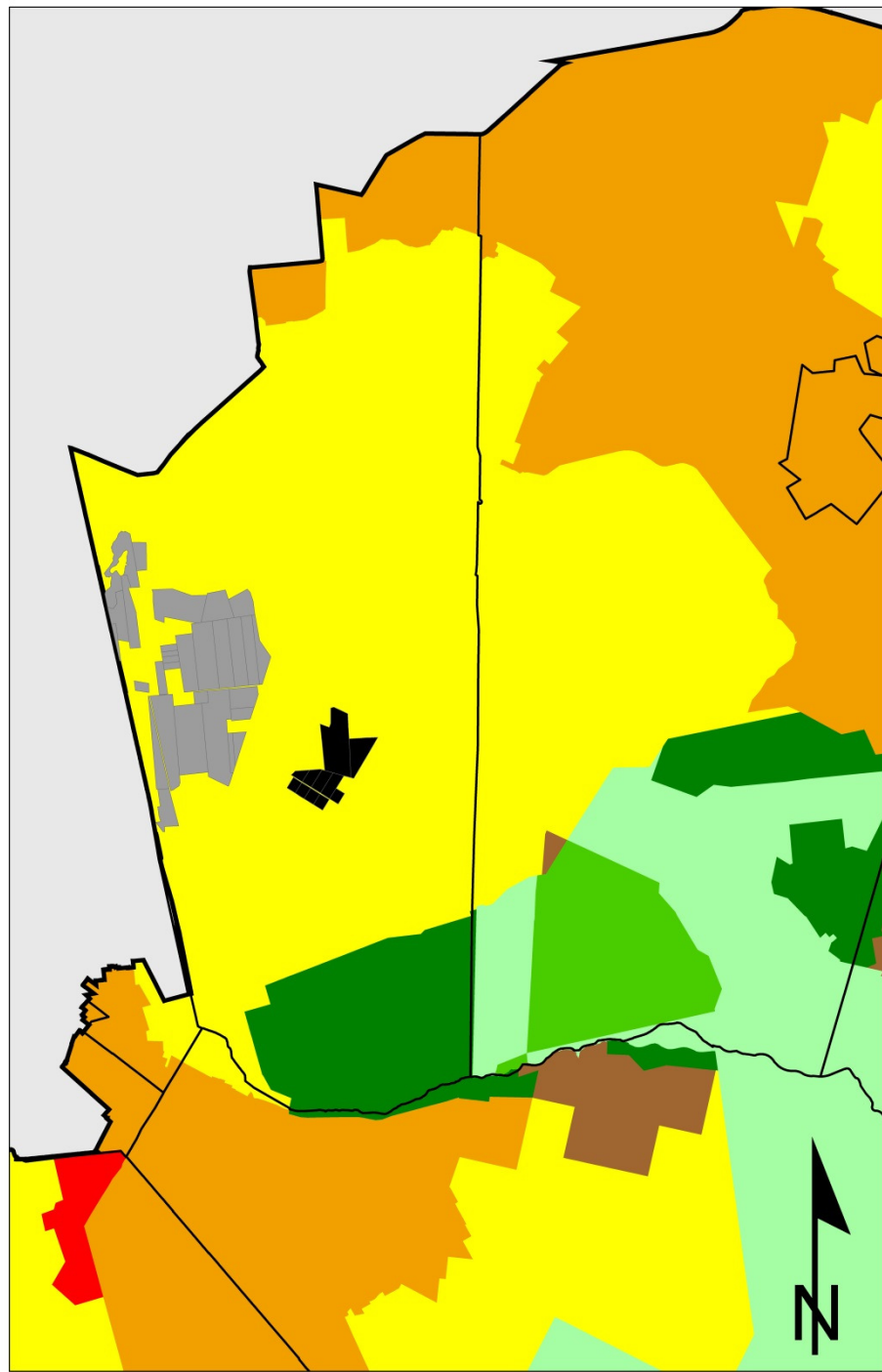
## Development Area

- +/- 175 acres on Evesham's border with Voorhees Township
- Current Management Area: RDA
- Current Zoning: Residential (3.2 ac)
- Current Build-out: 55 dwelling units
- Proposed Management Area: RGA
- Proposed density: 2.0 du/ac (325 units)
- Streamlined T&E survey requirements
- No PDC obligation
- Sewer service required

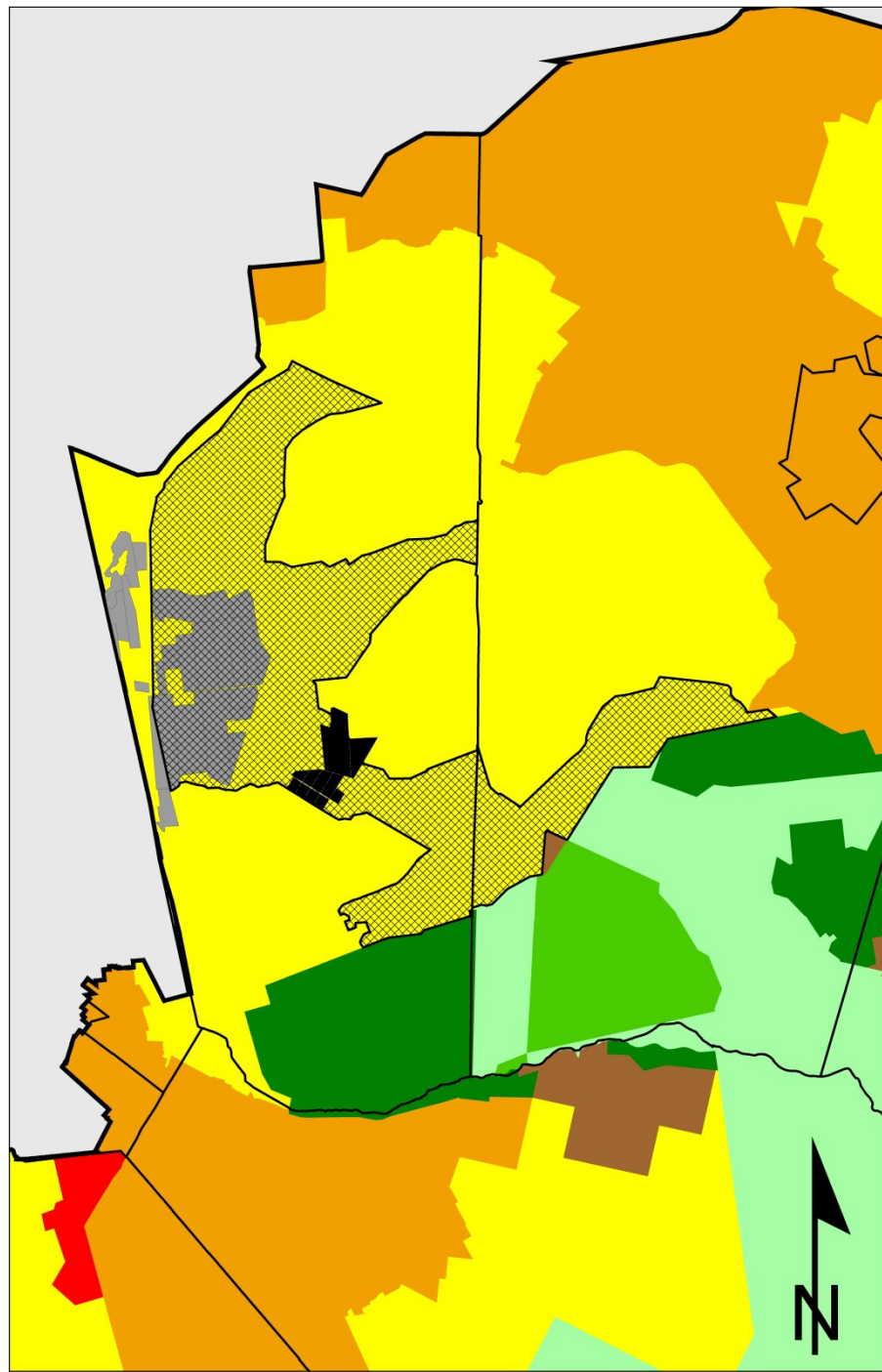
## Conservation Area

- 4,000 acres total
  - 2,300 acres already protected
  - 1,700 acres privately owned and available for development
- Current Management Area: RDA
- Current Zoning: Residential (3.2 ac, 4 ac, 6 ac, or 10 ac)
- Current Build-out: 325 dwelling units
- Proposed Management Area: FA
- Proposed Density: 1 du per 25 ac (70 units)

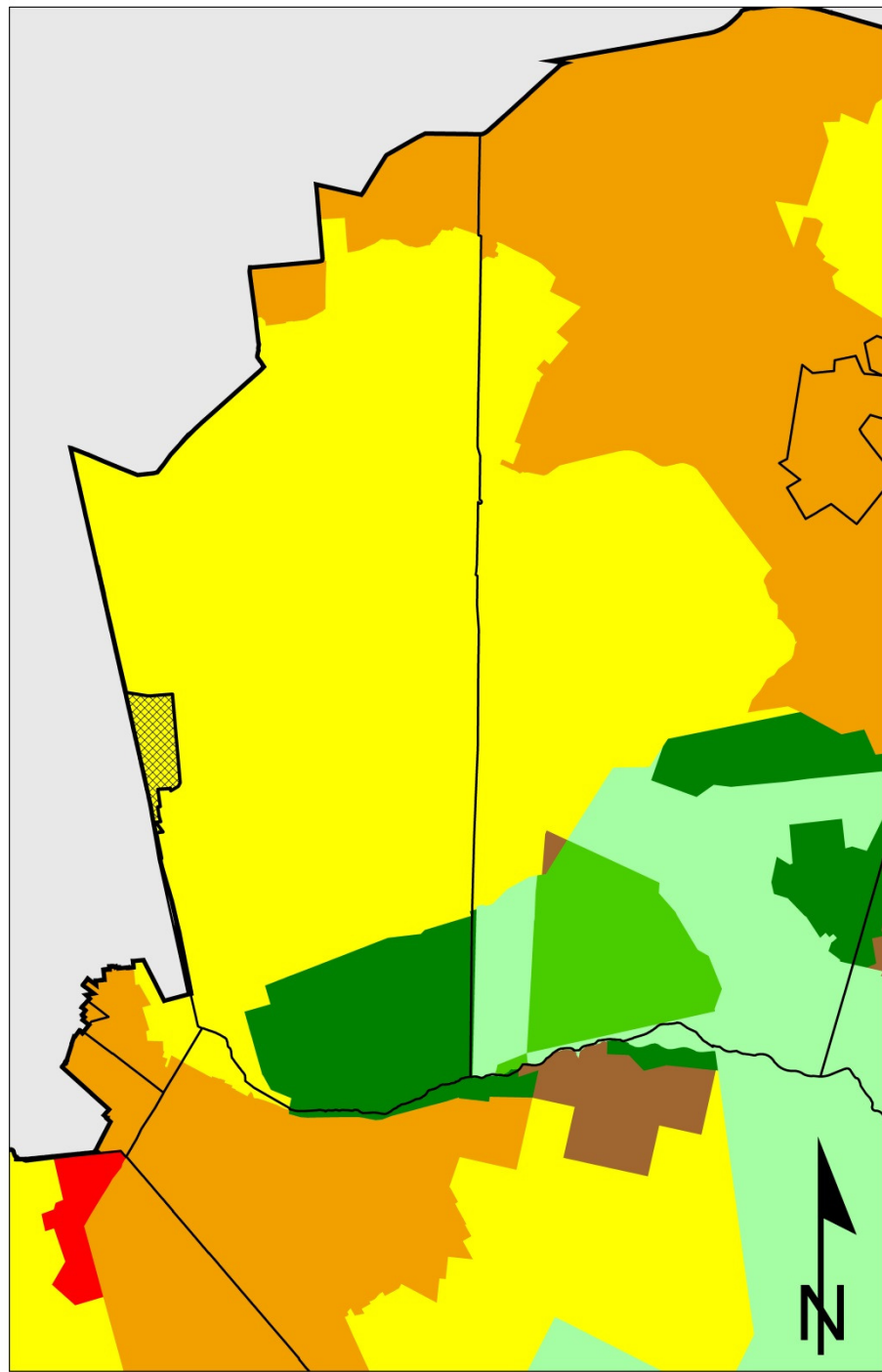




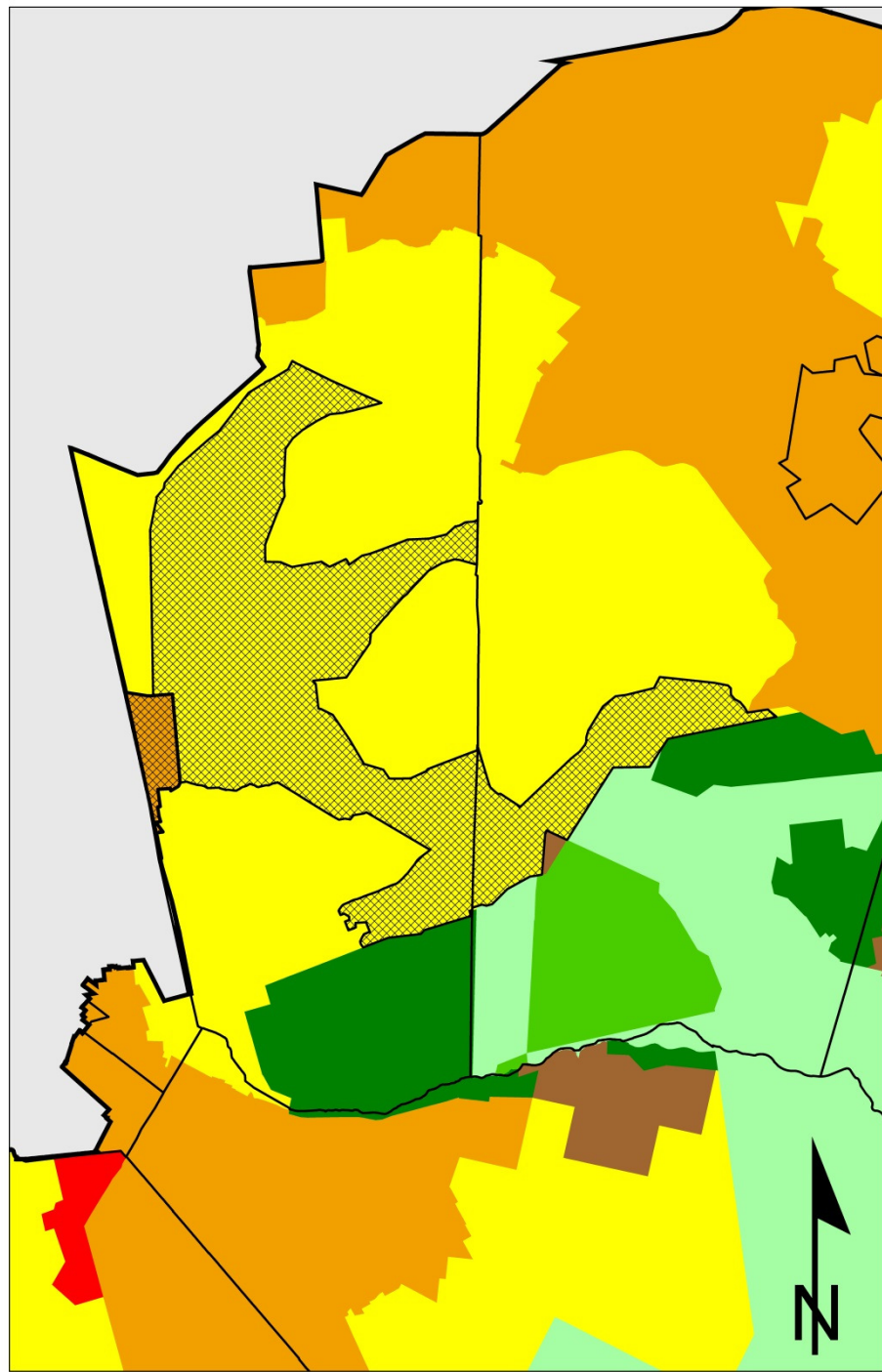
Significant  
Land Holdings



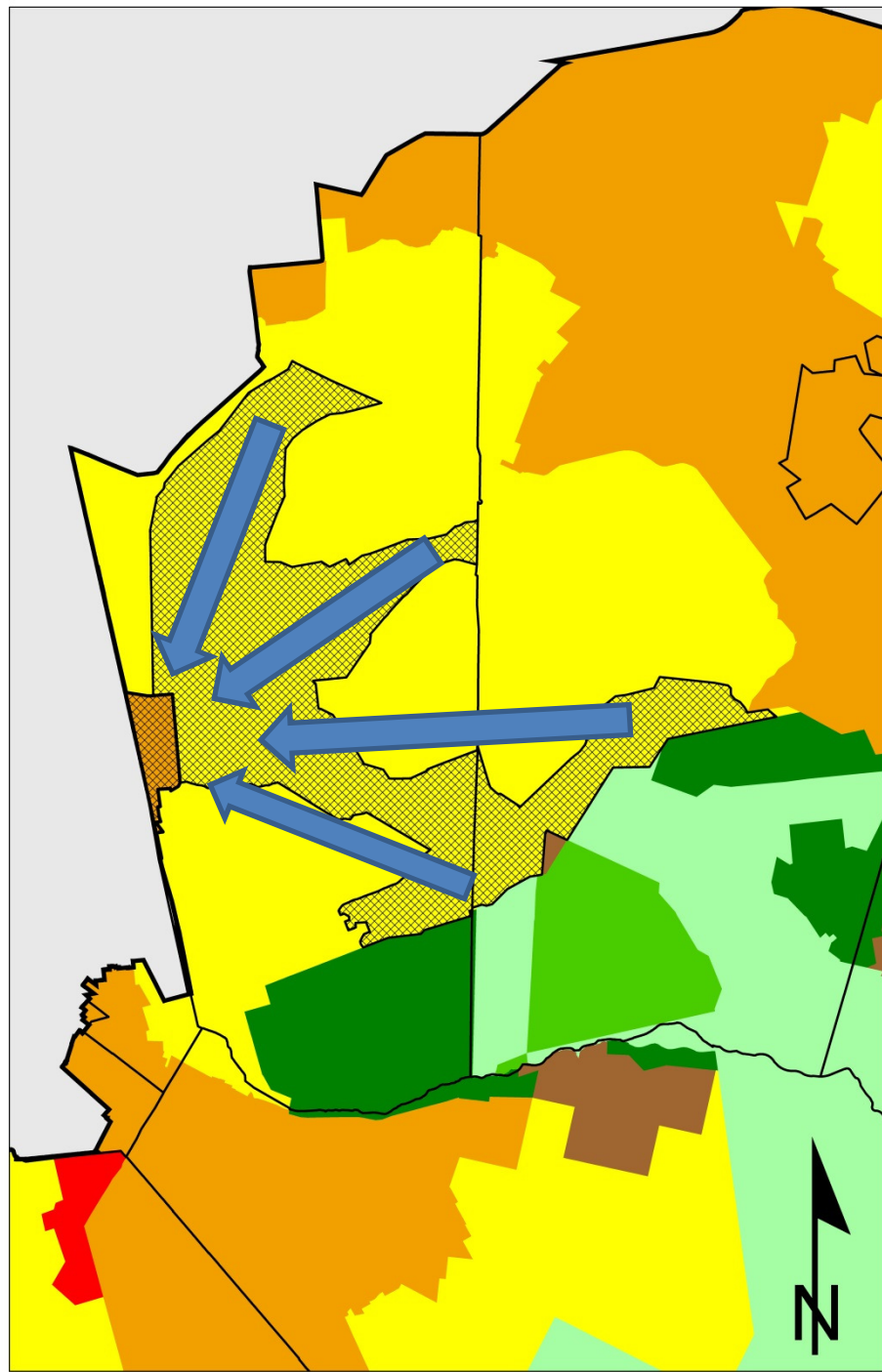
Significant  
Land Holdings



Potential  
Development  
Area



Potential  
Development  
Area



Off-site  
Clustering

## Why a Pilot Program?

- To test whether the Commission's land conservation goals can be met through off-site clustering between management areas
- To allow protection of land in the FA to replace the normal obligation to use PDCs in the RGA
- To permit sewer to be run through RDA to service the development area, if necessary

## Consistency with other Programs

- Both option 2 and option 3 are consistent with:
  - The 2014 Plan Review recommendations
  - The EIA/Management Area Change Rule Proposal
  - The “Medford-Evesham Plan”
  - DEP’s Landscape Project
  - Prior CMP amendments
    - 4,100-acre Oyster Creek redesignation from RDA to FA
    - Renault Pilot Off-Site Clustering Program

## Pros & Cons: Option 1 (No Change)

- Pros:
  - Simple: both conceptually and administratively
- Cons:
  - Area remains vulnerable to over-development
  - Current management area designation (RDA) does not accurately reflect the ecological value of the underlying area
  - Continues to create unrealistic development expectations



## Pros & Cons: Option 2 (expanded Forest Area)

- Pros:
  - Simple: conceptually
  - Decreased density would make area significantly less vulnerable to over-development
  - Clustering is mandatory in FAs
  - Internal density transfer is permitted in FAs
  - Better aligns development expectations with environmental conditions
- Cons:
  - Significant, uncompensated loss of property-owners' value

## Pros & Cons: Option 3 (FA with Pilot Program)

- Pros:
  - Development area is mostly low-integrity, upland habitat.
  - Development area is adjacent to highly disturbed lands with high-density development
  - Encourages development to occur in most appropriate location
  - Provides property-owners with more certainty that they can develop without T&E issues
  - Recognizes impact of FA designation on property values and provides potential compensation mechanism
- Cons:
  - Complex: both conceptually and administratively
  - Requires municipal cooperation
  - Requires cooperation among multiple property owners
  - Receiving area lacks wastewater infrastructure

## Staff's Recommendation

- **Option 3**
  - Expand the Forest Area in Evesham and Medford Townships to include 4,000 acres (Black Run Watershed, Black Run Preserve, and adjacent areas of high ecological-integrity)
  - Authorize an Off-Site Clustering Pilot Program with designated development and conservation areas