

REPORT ON THE PROPOSED EXCHANGE OF
PROPERTY
BETWEEN
THE NEW JERSEY DEPARTMENT OF
ENVIRONMENTAL PROTECTION
AND
THE CENTRAL JERSEY RIFLE AND
PISTOL CLUB, INC.
IN THE
TOWNSHIP OF JACKSON, COUNTY OF OCEAN
AND
TOWNSHIP OF UPPER FREEHOLD,
COUNTY OF MONMOUTH

Block 17601, Lot 1 (p/o)
Block 17601, Lot 3 (p/o)
Block 17601, Lot 4 (p/o)
Block 17601, Lot 7 (p/o)
Township of Jackson
(currently owned by the NJDEP)

Block 43, Lot 24
Township of Upper Freehold
(currently owned by the Central Jersey Rifle and Pistol Club, Inc.)

Prepared by: New Jersey Department of Environmental Protection

February 2021

STATUTORY REFERENCES

Under L. 1993, c. 38, codified at N.J.S.A. 13:1D-51 through N.J.S.A. 13:1D-58, no lands acquired or developed by the State with Green Acres funds, or developed by the State in any other manner and administered by the New Jersey Department of Environmental Protection (“NJDEP”), may be conveyed unless the NJDEP first prepares a report on the proposed conveyance in accordance with N.J.S.A. 13:1D-52(a)1, transmits the report to the individuals listed at N.J.S.A. 13:1D-52(a)2, makes the report available to the public in accordance with N.J.S.A. 13:1D-52(a)3, and conducts one or more public hearings as required by N.J.S.A. 13:1D-52(a)4. Public notice requirements for the hearings are specified at N.J.S.A. 13:1D-53 and –54. A summary and/or transcript of the public hearing(s) is provided to the NJDEP Commissioner, the State House Commission, and the public, under N.J.S.A. 13:1D-55. The methodology for valuing lands to be conveyed and the terms of such conveyances are governed by N.J.S.A. 13:1D-56.

Section 13 of P.L. 1993, c. 38 also amended N.J.S.A. 52:31-1.1, entitled “Sale, conveyance of State's interest; terms; conditions; public hearing; proceeds”, to require the State House Commission to conduct a public hearing at least 90 days in advance of determining the terms and conditions of any sale or conveyance for which the NJDEP is required to follow the public notice and hearing process at N.J.S.A. 13:1D-51 through N.J.S.A. 13:1D-58. In addition to any other applicable requirements of law, rule, or regulation concerning notice for its public hearings, the State House Commission is required to provide notice of the public hearing at least 30 days in advance of the date of the hearing in the same manner and according to the same procedures prescribed for the NJDEP pursuant to N.J.S.A. 13:1D-53 and -54. At its November 13, 2017 meeting, the State House Commission adopted a procedural resolution for the implementation of N.J.S.A. 52:31-1.1. The resolution provides that: the State House Commission Secretary will represent the Commission at the second required NJDEP hearing; the second hearing will be a joint NJDEP/State House Commission hearing; and the joint NJDEP/State House Commission hearing is intended to satisfy the requirements of N.J.S.A. 52:31-1.1.¹

Once these procedural requirements have been met, the conveyance proposed in this report requires the approval of the NJDEP Commissioner and the State House Commission. N.J.S.A. 13:1D-55, N.J.S.A. 13:8A-48, and N.J.S.A. 13:8C-1 et seq.

¹ A copy of the resolution adopted by the Commission may be found at: <http://www.state.nj.us/treasury/statehouse-commission/pdf/9-20-2017update.pdf>

RATIONALE FOR CONVEYANCE

Central Jersey Rifle and Pistol Club, Inc. (“Club”) is a private club founded in 1960 to promote shooting sports by offering a safe and secure facility for education about shooting sports and the safe handling of firearms. The Club is located at 186 South Stump Tavern Road in Jackson Township, New Jersey, and is situated on more than 155 acres (hereafter, the “Club Property”).² The Club’s shooting facilities are located on Block 17601, Lot 2 in Jackson Township and occupy approximately 49 acres of the Club Property. The facility offers a variety of ranges, including a 300-yard big bore range, a 200-yard multi-purpose range, a 20/50 yard pistol range, a 50-foot indoor range, 75-, 50- and 15-yard multi-purpose ranges, five combination regulation trap and skeet ranges, and an archery range. The facility hosts a variety of Club activities and organized events.

The Club Property is surrounded almost entirely by land owned by the NJDEP and managed as part of the Colliers Mills Wildlife Management Area (WMA). Over the decades, the Club’s shooting activities have resulted in the deposition of lead shot on NJDEP land adjacent to the 300-yard big bore range and the trap and skeet ranges. Several years ago, the Club approached the NJDEP to propose an exchange of land with the WMA in order for the Club to own the property affected by the deposition of lead shot.

The Club and the NJDEP propose to exchange approximately 86.8 acres of land owned by the Club in Upper Freehold Township, Monmouth County, for approximately 43.05 acres of land owned by the NJDEP in Jackson Township, Ocean County adjacent to the Club Property. As detailed below, the Club’s general objectives for the proposed land exchange are: (1) to own the land upon which the deposition of lead shot currently occurs beyond the Club’s two shooting ranges and property boundary; (2) to own a buffer area between the areas affected by the deposition of lead shot and adjacent NJDEP lands to ensure the safety of the public; and (3) to assume ownership of a portion of the existing road that serves as access to the Club facility and the utilities that lie within parts of Block 17601, Lots 3 and 7. The NJDEP’s general objectives are: (1) to dispossess itself of the land upon which the deposition of lead shot from the Club’s activities has occurred for many years; (2) to still own a large, contiguous parcel at Colliers Mills WMA; (3) to expand its holdings at Pleasant Run WMA in the Crosswicks Creek watershed for administration as part of the Division of Fish and Wildlife’s WMA system; and (4) to relieve the NJDEP of any responsibility for maintaining the existing road that serves as access for the Club facility.

The specific parcels proposed to be exchanged are as follows:

² The Club Property consists of the following blocks and lots: Block 17601, Lots 2, 8, 9, 10, 12, 14, 15 and 16. Not all of the lots owned by the Club are affected by the proposed land exchange.

Proposed Land Exchange Between the NJDEP and the Club							
Municipality	Block	Lot	Street Address	Current Owner	Proposed Owner	Acres to State	Acres to Club
Upper Freehold Township	43	24	Route 539	Club	NJDEP	86.8	
Total						86.8	
Proposed Land Exchange Between the NJDEP and the Club							
Municipality	Block	Lot	Street Address	Current Owner	Proposed Owner	Acres to State	Acres to Club
Jackson Township	17601	1 (p/o)	South Stump Tavern Road	NJDEP	Club		3.675
Jackson Township	17601	3 (p/o)	South Stump Tavern Road	NJDEP	Club		29.896
Jackson Township	17601	4 (p/o)	South Stump Tavern Road	NJDEP	Club		7.462
Jackson Township	17601	7 (p/o)	South Stump Tavern Road	NJDEP	Club		2.017
Total							43.05

A general location map of the properties proposed to be exchanged is attached as Figure 1. Aerial maps of the properties proposed to be exchanged are attached as Figures 2 and 3. Surveys of the properties proposed to be exchanged are attached as Figures 4 and 5.

Pursuant to N.J.S.A. 23:8A-1, the proposed land exchange was presented to the Fish and Game Council at its June 9, 2020 meeting. The Council has not raised any objections to the proposed sale.

Any lands acquired by the NJDEP from the Club will be preserved by statute (as replacement for lands originally purchased with Green Acres funds), and future conveyance of these lands will be governed by the Green Acres bond acts and the NJDEP property conveyance statute at N.J.S.A.

13:1D-51 through N.J.S.A. 13:1D-58. The replacement lands will be assigned to the Division of Fish and Wildlife for hunting, trapping, and other wildlife-based recreation. They will also be subject to N.J.S.A. 23:8A-1, which requires Fish and Game Council involvement in any future land sales or exchanges.

The lands currently held by NJDEP will become a part of the private lands of the Club. As required by N.J.S.A. 13:1D-56, the deed for the conveyance of the NJDEP property to the Club will include language specifying that additional compensation may be due to the State of New Jersey if the property is rezoned or granted a variance within 25 years of the purchase in a manner that increases the value of the lands.

As outlined above, the proposed land exchange requires the NJDEP to conduct two public hearings. The public hearing notice can be found in the Appendix section of this report as Appendix 1. (Due to their size, the Figures and Appendices are not appended to this document. The Figures and Appendices can be accessed at <http://www.state.nj.us/dep/greenacres/notices.html>.) Upon successful completion of the public hearing process, the proposed conveyance will require the approval of the NJDEP Commissioner and the State House Commission. The NJDEP believes that the earliest it could obtain these approvals is September 2021.

Description of the NJDEP Tract

Property Description

The NJDEP property proposed for conveyance to the Club consists of approximately 43.05 acres of vacant land within four tax parcels located in Jackson Township (hereafter, the “NJDEP Tract”). Block 17601, Lot 1 is adjacent to the southeast border of the Club Property (Block 17601, Lot 2). Block 17601, Lot 3 is adjacent to the northwest and southwest borders of the Club Property (Block 17601, Lots 2 and 8). Block 17601, Lot 4 is adjacent to the north and west borders of Block 17601, Lot 3. Block 17601, Lot 7 is adjacent to the northernmost border of Block 17601, Lot 3 and the west border of the Club Property (Block 17601, Lot 8). There are no structures or developed recreational facilities on any portion of the NJDEP Tract.

The nearest public street is South Stump Tavern Road, but none of these lots can be accessed directly from a public street. The Club Property is accessible from South Stump Tavern Road by way of a road, composed of dirt and asphalt, that also provides access to another privately owned gun club within the WMA (Block 17601, Lot 5, owned by Cassville Buck Club). The road passes through two portions of the NJDEP Tract (the southern portion of Block 17601, Lot 7 and the northeastern portion of Block 17601, Lot 3). The NJDEP’s Division of Fish and Wildlife does not currently use this road to access the Colliers Mills WMA and does not consider it to be a public access point for the WMA. The public uses several access points along South Stump Tavern Road to access the WMA, as shown in Figure 6.

The four parcels owned by the NJDEP were acquired in three separate transactions. Block 17601, Lot 1, totaling approximately 105.5 acres, was purchased from the Van Horn Estate in June 1967

using 1961 Green Acres bond funds. Block 17601, Lot 3 was purchased along with three other parcels, totaling approximately 72.53 acres, from the Hopkins Estate in July 1967 using 1961 Green Acres bond funds. Block 17601, Lot 3 comprised approximately 46.3 of the total 72.53 acres purchased. Block 17601, Lots 4 and 7, totaling 28.88 acres, were purchased from Rova Farm Resort, Inc. in September 1967 using 1961 Green Acres bond funds. Once acquired, the parcels associated with the NJDEP Tract were assigned to the NJDEP's Division of Fish and Wildlife for management as part of what is now the Colliers Mills WMA.

Additional information about the NJDEP Tract may be found in the appraisal included in this report as Appendix 2.

Environmental Features

The portions of Block 17601, Lots 1, 3, and 4 included in the NJDEP Tract (41.033 acres) are located within the Preservation Area of the Pinelands (as such areas are designated under the Pinelands Comprehensive Management Plan). The portion of Block 17601, Lot 7 included in the NJDEP Tract (2.017 acres) is located within the Forest Area of the Pinelands (as such areas are designated under the Pinelands Comprehensive Management Plan). The parcels are zoned PA (Preservation Area) and FA-1 (Forest Area) respectively by Jackson Township. The PA and FA-1 zones are intended to preserve and protect the valuable resources of the Pinelands.³

According to the NJDEP Bureau of GIS's "Land Use/Land Cover of New Jersey 2015" data, the NJDEP Tract is made up of coniferous and deciduous upland forest, potential deciduous and coniferous wetlands associated with a Shannae Brook Tributary, and deforested/devegetated areas affected by the deposition of lead shot (Figures 7 and 8). The summary below lists the categories and approximate acreages of land cover found on the NJDEP Tract:

- 13.80 acres of mixed forest (greater than fifty percent coniferous) with greater than fifty percent crown closure
- 11.74 acres of mixed forest (greater than fifty percent deciduous) with greater than fifty percent crown closure
- 10.26 acres of deciduous forest with greater than fifty percent crown closure
- 3.65 acres of recreational land (this is the land visibly affected by the deposition of lead shot)
- 1.66 acres of coniferous forest with greater than fifty percent crown closure
- 0.95 acre of mixed wooded wetlands (coniferous dominant)
- 0.97 acre of deciduous and coniferous wooded wetlands
- 0.02 acre of artificial lakes

³ Further information regarding the Pinelands Preservation and Forest Areas may be found in the Pinelands Comprehensive Management Plan: <https://www.nj.gov/pinelands/cmp/CMP.pdf>.

Description of the Replacement Tract

Property Description

The property owned by the Club and proposed for conveyance to the NJDEP consists of approximately 86.8 acres located in Upper Freehold Township, Monmouth County (hereafter, the “Replacement Tract”). This property is designated for tax purposes as Block 43, Lot 24. The Replacement Tract will be accessible through adjacent land already owned by the NJDEP and managed as part of the Pleasant Run WMA.

The Replacement Tract was purchased by the Club from Rudolph Alexander Socey, Jr. and John R. Socey, private owners, in February 2019. The purchase price for the Replacement Tract was \$246,086.22 and the entire purchase was funded solely through private funds. There are no structures or developed recreational facilities on any portion of the Replacement Tract.

More information about the Replacement Tract may be found in the appraisals included in this report as Appendices 3 and 4.

Environmental Features

The Replacement Tract is made up of approximately 86.8 acres of forested, low-lying wetlands associated with the Crosswicks Creek Watershed (Figures 9 and 10). As indicated on Figure 10, several Pleasant Run tributaries, which have surface water classifications of FW2-NT (freshwaters that do not support trout), run through portions of the Replacement Tract. For more information about surface water quality classifications, see <https://www.state.nj.us/dep/wms/bears/swqs-overview.htm>.

As shown in Figures 9 and 10, the Replacement Tract is comprised almost entirely of deciduous wooded wetlands associated with Pleasant Run tributaries, which enter the parcel from at least four different points. These tributaries all flow into an approximately eight-acre artificial lake, approximately 5.53 acres of which are located in the western extent of the Replacement Tract. The contiguous wetlands complex associated with the Replacement Tract is approximately 150 acres. The Replacement Tract is bordered to the southwest, south, and southeast by parcels owned by the NJDEP and managed as part of the Pleasant Run WMA. The remainder of the adjoining properties are privately owned and consist of agriculture, forest, and wetlands.

According to the NJDEP Bureau of GIS’s “Land Use/Land Cover of New Jersey 2015” data, the Replacement Tract is comprised of the following categories and approximate acreages of land cover:

- 78.78 acres of deciduous and mixed wooded wetlands
- 4.00 acres of deciduous and mixed scrub/shrub wetlands
- 3.46 acres of artificial lakes
- 0.40 acre of agricultural land
- 0.14 acre of herbaceous wetlands

ADVANTAGES AND DISADVANTAGES

For the NJDEP

In exchange for the conveyance of the approximately 43.05-acre NJDEP Tract, the NJDEP will acquire approximately 86.8 acres currently owned by the Club (a net gain of approximately 43.75 acres). The proposed land exchange would increase the size of Pleasant Run WMA and further protect the Crosswicks Creek watershed from development, while increasing the amount of land to be enjoyed by the public for outdoor recreation as part of the WMA system.

Prior to the Club acquiring the Replacement Tract in 2019, the Club and the NJDEP explored an exchange of adjacent land in Jackson Township. However, the Club did not want to convey any of its property to NJDEP because of concerns that doing so might reduce the current buffer between the Club and the WMA and bring public uses of the WMA closer to the Club's facility (thereby creating a potential safety concern). Since the NJDEP would not have wanted to accept a portion of the Club property as replacement land with restrictions against hunting, wildlife watching, or other similar public uses, a swap of adjacent properties was determined to be not feasible.

After ruling out a swap of adjacent properties, the Club and NJDEP looked at the possibility of the Club assisting with a pending NJDEP acquisition project. At that time, the NJDEP was in negotiations with the Soceys and informed the Club that it would be willing to let the Club take the lead in acquiring the Socey property for future use as replacement land (contingent on successful completion of the public notice and hearing process, and approval by the NJDEP Commissioner and the State House Commission). Based on the NJDEP's expression of interest, the Club pursued the Socey acquisition with the understanding that this property would be transferred to the NJDEP at a future date (either as replacement land or, if not approved as replacement land, by purchase by the NJDEP from the Club at the price the NJDEP would have paid the Soceys based upon Green Acres approved appraisals).

The area to be conveyed by the NJDEP to the Club includes the portions of the Colliers Mills WMA affected by the deposition of lead shot along with a sufficient buffer to prevent future encroachment on the WMA by the Club's activities. Areas where the deposition of lead shot has occurred are denuded of trees and other vegetation.

As part of this transaction, the NJDEP will convey two small portions of a road that provides access to the Club Property. The NJDEP does not currently use this access road as an entrance to the Colliers Mills WMA and does not want to be responsible for future road maintenance in this area.

For the Club

Transfer of the NJDEP Tract to the Club will enable the Club to own the areas affected by the deposition of lead shot. The transfer will also allow the Club to own a buffer area between the affected areas and adjacent NJDEP lands to ensure the safety of the public and prevent future encroachment on public property by the Club's activities. To further ensure the safety of the

public, and to prevent the areas affected by the deposition of lead shot from becoming larger, the Club intends to install a shot curtain after this land exchange is completed.

The conveyance of the NJDEP Tract will also result in the Club owning the entirety of the road that provides access to the Club Property. The Club already maintains most of the road and, as a result of the transfer, will be able to maintain the entire road without encroaching on NJDEP property.

ENVIRONMENTAL ASSESSMENT

The proposed land exchange has undergone an internal review by the affected programs within the Department's Natural and Historic Resources, including the Nongame and Endangered Species Program, the State Historic Preservation Office ("SHPO"), the State Forest Service, the State Forest Fire Service, the Office of Natural Lands Management, and the Division of Fish and Wildlife's Bureau of Land Management and Bureau of Freshwater Fisheries. This review did not raise any objections to the proposal.

Assesment of Environmental Impact and Impact on Plants and Endangered and Non-Game Species

For the NJDEP Tract

As shown in Figure 11, the NJDEP Endangered and Nongame Species Program's "Landscape Project – Species-Based Habitat" data (Version 3.3) indicate that the majority of the NJDEP Tract is categorized as Rank 4 – State Endangered (assigned to species-specific habitat patches with one or more documented occurrences of State endangered species). The remainder of the NJDEP Tract is categorized as Rank 2 – Special Concern (assigned to species-specific habitat patches containing one or more documented occurrences of species considered to be species of special concern). Habitat (and associated types of occurrences) for the following species are present on the NJDEP Tract:

- Black-throated Green Warbler – Breeding Sighting
- Barred Owl – Breeding Sighting
- Worm-eating Warbler – Breeding Sighting
- Cerulean Warbler – Non-breeding Sighting
- Whip-poor-will – Breeding Sighting
- Whip-poor-will – Breeding Sighting-Confirmed
- Northern Pine Snake – Occupied Habitat
- Timber Rattlesnake – Occupied Habitat

The NJDEP Tract does not contain any known vernal pools. A portion of the southwest extent of Block 17601, Lot 1 contains potential vernal habitat but is not included in the area proposed for conveyance (Figure 11).

Block 17601, Lot 1 is approximately three quarters of a mile from the Colliers Mills Natural Heritage Priority Site and approximately one mile from the Cassville Natural Heritage Priority Site (though it is separated from the site by South Stump Tavern Road and a considerable amount of developed land). The NJDEP Tract does not contain any land associated with Natural Heritage Priority Sites and the State Historic Preservation Office did not raise any concerns regarding historic or archaeological resources.

The NJDEP Tract is located within the Preservation and Forest Areas of the Pinelands (as such areas are designated under the Pinelands Comprehensive Management Plan). Therefore, as explained in more detail below, the NJDEP Tract is subject to stringent restrictions on the development and use of the land.

If this land exchange occurs, any wetlands or wetland buffers on the NJDEP Tract will remain protected under the statutes and rules applicable to freshwater wetlands in New Jersey.

For the Replacement Tract

As shown in Figure 12, the NJDEP Endangered and Nongame Species Program’s “Landscape Project – Species-Based Habitat” data (Version 3.3) indicate that the entire Replacement Tract is categorized as Rank 2 – Special Concern (assigned to species-specific habitat patches containing one or more documented occurrences of species considered to be species of special concern). Habitat (and associated types of occurrences) for the following species are present on the NJDEP Tract:

Brown Thrasher – Breeding Sighting
Great Blue Heron – Foraging

The Replacement Tract does not contain any known vernal pools.

The Replacement Tract is approximately one mile from the Walnford Floodplain Natural Heritage Priority Site and does not contain any land associated with Natural Heritage Priority Sites. The State Historic Preservation Office is not aware of any historic or archaeological resources associated with the Replacement Tract.

Summary of Environmental Assessment

The proposed land exchange will result in a net increase in acreage of wetlands under NJDEP ownership as the NJDEP Tract is almost entirely uplands and the Replacement Tract is almost entirely wetlands. The wetlands contained in the Replacement Tract are a part of the Crosswicks Creek Watershed and will be protected from future development.

The proposed land exchange will result in a net decrease in Pinelands holdings for the NJDEP as the NJDEP Tract contains approximately 43 acres of land located within the Pinelands and the Replacement Tract does not contain land located within the Pinelands. However, the NJDEP sees this as a beneficial exchange because (1) a portion of the NJDEP Tract has been affected by the deposition of lead shot, and (2) the NJDEP will receive approximately double that amount of land

to be incorporated into the Pleasant Run WMA. Once the Replacement Tract is acquired and incorporated into the WMA, it will be fully open for public use.

The protection of any threatened or endangered species habitat associated with the NJDEP Tract will not be diminished as a result of this land exchange since the area to be transferred to the Club will still be regulated by the Pinelands Commission under its Comprehensive Management Plan. As noted above, approximately 41 out of the 43 acres to be conveyed to the Club are located within the Pinelands Preservation area (the area most strictly regulated by the Pinelands Commission).

ASSESSMENT OF RECREATIONAL IMPACT

The NJDEP does not anticipate that the proposed land exchange will have a negative recreational impact on either side of this transaction. The proposed land exchange will result in a net increase of approximately 43.75 acres of land preserved for public recreation and conservation purposes. As noted above, there are no facilities on either the NJDEP Tract or the Replacement Tract. The Replacement Tract will remain permanently preserved for recreation and conservation purposes and will be managed for public access and use as a part of the Pleasant Run WMA. The NJDEP Tract, portions of which have been affected by lead shot, will be removed from NJDEP ownership.

ECONOMIC ASSESSMENT

Under N.J.S.A. 13:1D-56(a), any NJDEP property of more than one acre that is proposed to be conveyed in fee (for any purpose), must be valued as follows:

- a. For the purpose of determining the amount of consideration to be paid or transferred to the State in exchange for conveying lands acquired or developed by the State with Green Acres funds, or acquired or developed by the State in any other manner and administered by the department, the value of such lands ***shall be based upon their intended use upon conveyance or upon their highest and best use, whichever shall provide to the State the greatest value in return.*** [Emphasis added.]

The Club commissioned one appraisal for the NJDEP Tract and the NJDEP commissioned two appraisals for the Replacement Tract⁴, using appraisers from the NJDEP Green Acres Program's list of approved appraisers and a scope of appraisal reviewed and approved by the NJDEP.⁵ The appraisers valued the NJDEP Tract and the Replacement Tract as unrestricted properties. The appraisals were completed in November 2019 for the NJDEP Tract, and August 2017 for the

⁴ The NJDEP commissioned the appraisals for the Replacement Tract as part of its contemplated acquisition of the former Socey property (Replacement Tract). As discussed above, the Club purchased the Replacement Tract, with the NJDEP's consent, in order to facilitate the proposed land exchange. Prior to the Club's purchase of the Replacement Tract, the NJDEP and the Club executed a purchase agreement that committed the NJDEP to purchase the former Socey property, at the then-certified market value, in the event NJDEP is not successful in obtaining approvals for the proposed land exchange.

⁵ Green Acres appraisal standards require two appraisals to be provided if a property is valued at more than \$250,000.

Replacement Tract. The appraisals were then reviewed and approved by the NJDEP's Green Acres Program, and the Green Acres review appraiser certified the market values for each property. In accordance with Green Acres policy, the average of the two appraised values of the Replacement Tract was used to determine the certified market value.

Due to their length, the appraisals are not attached to this document but are posted online as Appendices 2, 3, and 4 of this Report at <http://www.state.nj.us/dep/greenacres/notices.html>.

Valuation of the NJDEP Tract

The NJDEP Tract had a certified market value of \$154,000, (or \$3,500 per acre) as of November 2019. The appraiser determined the value using the current zoning of PA (Preservation Area) (Block 17601, Lots 1, 3, and 4), and FA-1 (Forest Area 1) (Block 17601, Lot 7). The appraiser valued the NJDEP Tract for its highest and best use, which was determined to be "passive recreation which it is currently being used for." The appraiser further noted: "However, due to the encroachment on state land, assemblage to CNJR&PC property is the highest and best use, the passive recreation use will not change." While the NJDEP typically does not find the highest and best use of land to be passive recreation, in this case the NJDEP Review Appraiser agrees with the appraiser's determination. In his report, the appraiser notes that the NJDEP Tract has "no standalone potential for development, as it is located in the Preservation Area and FA1 Zone and does not meet the Cultural Housing Provision [of the Pinelands CMP]." The appraiser also cites the lack of road frontage and the proximity to the Club facility as reasons for valuing the NJDEP Tract for passive recreation (Appendix 2).

Valuation of the Replacement Tract

The Replacement Tract was purchased by the Club in February 2019 from Rudolph Alexander Socey, Jr. and John R. Socey for \$246,086.22. The Replacement Tract had a certified market value of \$230,200 (or \$2,652.07 per acre) as of October 2017. The appraisers determined their respective valuations using the current zoning of AR (Agricultural Residential). The appraisers valued the Replacement Tract for its highest and best use which was determined to be "the use of the site as hunting grounds" by one appraiser (Appendix 3), and "recreation, hunting, forestry, open space or assemblage to abutting lands" by the other appraiser (Appendix 4). One appraiser determined the value of the Replacement Tract to be \$240,000 (Appendix 3) and the other appraiser determined the value of the Replacement Tract to be \$220,400 (Appendix 4). Since the appraised values were within 10 percent of each other, the Green Acres review appraiser certified the value of the Replacement Tract to be \$230,200 (the average of the two values).

Analysis

As noted above, the NJDEP review appraiser has reviewed and certified the appraised values for the NJDEP Tract as \$154,000 and the Replacement Tract as \$230,200. Since the market value of the Replacement Tract is higher than the market value of the NJDEP Tract, the proposed land exchange favors the NJDEP from a market value perspective. As discussed above, the Replacement Tract will remain as preserved public recreation and conservation land after the exchange is completed. Any lands acquired by the NJDEP from the Club will be preserved by

statute (as replacement for lands originally purchased with Green Acres funds), and future conveyance of these lands will be governed by the Green Acres bond acts, the NJDEP property conveyance statute at N.J.S.A. 13:1D-51 through N.J.S.A. 13:1D-58 and N.J.S.A. 23:8A-1.

In addition, under N.J.S.A. 13:1D-56, the NJDEP is required to include in the deed for the conveyance of the NJDEP Tract to the Club statutory language requiring compensation to the State if the property is rezoned, or variances are granted, within 25 years of the purchase in a manner that increases the value of the lands.

Based on the above, the NJDEP and the Club believe the proposed land exchange represents an equitable transaction for the public from an economic perspective. The Club has elected to transfer more land to the NJDEP than it is receiving in order to achieve both its objectives and the objectives of the NJDEP.

FIGURES AND APPENDICES

The Figures and Appendices listed below are not appended to this document due to their size.

They may be accessed at:

<http://www.state.nj.us/dep/greenacres/notices.html>

Figures

- Figure 1:** General Location Map
- Figure 2:** Aerial Map of the NJDEP Tract
- Figure 3:** Aerial Map of the Replacement Tract
- Figure 4:** Survey of the NJDEP Tract
- Figure 5:** Survey of the Replacement Tract
- Figure 6:** Colliers Mills WMA Public Access Points Near the Club Property
- Figure 7:** Land Use Map of the NJDEP Tract
- Figure 8:** Wetlands and Surface Waters Map of the NJDEP Tract
- Figure 9:** Land Use Map of the Replacement Tract
- Figure 10:** Wetlands and Surface Waters Map of the Replacement Tract
- Figure 11:** Landscape Project Map of the NJDEP Tract
- Figure 12:** Landscape Project Map of the Replacement Tract

Appendices

- Appendix 1:** Public Hearing Notice
- Appendix 2:** November 2019 Maher Appraisals Appraisal Report
- Appendix 3:** August 2017 Starmark Appraisals LLC Appraisal Report
- Appendix 4:** August 2017 Norman J. Goldberg, Inc. Appraisal Report

PUBLIC HEARINGS

In accordance with N.J.S.A. 13:1D-52(a)4 and N.J.S.A. 52:31-1.1, two public hearings on the proposed land exchange will be conducted. Due to the current State of Public Health Emergency, the hearings will be conducted remotely via Microsoft Teams. Members of the public may participate in the hearings via video conference or by telephone. Instructions for participating in the hearings can be found at: <http://www.nj.gov/dep/greenacres/notices.html>. Instructions for participating by telephone can also be found below.

The first public hearing on the proposed land exchange will be conducted by the NJDEP and will be held on Wednesday, March 31st, 2021 from 6:30 PM to 8:30 PM or close of public comment (whichever is earlier). Members of the public who do not have internet access may participate in the hearing by calling (856) 338-7074 and using the Conference ID number 432093117#.

[NOTE: The first public hearing will be conducted by the NJDEP in accordance with N.J.S.A. 40A:12-16, and NJDEP representatives will be present to answer questions about the proposed land exchange.]

The second public hearing on the proposed land exchange will be conducted jointly by the NJDEP and the State House Commission and will be held on Thursday, April 15th, 2021 from 3:00 PM to 5:00 PM or close of public comment (whichever is earlier). Members of the public who do not have internet access may participate in the hearing by calling (856) 338-7074 and using Conference ID number 178751343#.

[NOTE: The second public hearing will be conducted jointly by the NJDEP and the State House Commission in compliance with the requirements of N.J.S.A. 13:1D-52(a)4 (as to the NJDEP) and N.J.S.A. 52:31-1.1 (as to the State House Commission.) Representatives of the NJDEP will be present to answer questions about the proposed land exchange.]

Please refer to the Public Hearing Notice, Appendix 1, for information about submitting written public comments on the proposed conveyances.

CONTACT INFORMATION

For further information, please contact:

For the New Jersey Department of Environmental Protection:

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*Note: Due to the current State of Public Health Emergency, this telephone will not be answered. Messages will not be returned, however, comments will be recorded if left in voice mail. Please note there is a limit on the length and/or number of voice mail messages the box will hold. Written comments are strongly recommended.

DISTRIBUTION LIST

Ray Bukowski, Assistant Commissioner, Natural and Historic Resources, NJDEP

David M. Golden, Director, Division of Fish and Wildlife, NJDEP

Martha Sullivan Sapp, Director, Green Acres Program, NJDEP

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Hon. James Beach, Chair, Senate State Government, Wagering, Tourism & Historic Preservation Committee

Hon. Bob Smith, Chair, Senate Environment and Energy Committee

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Hon. John J. Burzichelli, Chair, Assembly Appropriations Committee

Hon. Vincent Mazzeo, Chair, Assembly State and Local Government Committee

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