

CMP POLICY & IMPLEMENTATION COMMITTEE MEETING

This meeting was conducted remotely

All participants were present via Zoom conference

The public could view/comment through Pinelands Commission YouTube link:

<https://www.youtube.com/channel/UCBgpC8sbR3Acrjo7ppxs3Uw>

Meeting ID: 833 5477 1666.

October 29, 2021 - 9:30 a.m.

MINUTES

MEMBERS IN ATTENDANCE: Chairman Richard Prickett, Alan Avery, Jerome H. Irick, Ed Lloyd and Mark Lohbauer

MEMBERS ABSENT: None

STAFF PRESENT: Susan R. Grogan, Stacey P. Roth, Marci Green, Charles Horner, Jessica Lynch, Ed Wengrowski, Brad Lanute, John Bunnell, Ernest Deman, Brian Szura, Paul Leakan, and Dawn Holgersen. Also present was Jeff Nielsen, with the Governor's Authorities Unit.

1. Call to Order

Chairman Prickett called the Comprehensive Management Plan (CMP) Policy and Implementation (P&I) Committee meeting to order at 9:32 a.m. and Ms. Grogan identified all staff attending/participating in the meeting.

2. Adoption of minutes from the September 24, 2021 CMP Policy and Implementation Committee meeting

Commissioner Lohbauer moved the adoption of the minutes of the September 24, 2021 Committee meeting. Commissioner Lloyd seconded the motion. All voted in favor.

3. Pilot Program for Alternate Design Treatment Systems

Mr. Wengrowski, the Commission's Environmental Technologies Coordinator, mentioned that the Pilot Program began in 2002. He said that the program has been successful locally and it has been relied on elsewhere to help meet nitrogen discharge level limitations in ecologically sensitive areas.

He said that the CMP allows for up to six piloting technologies at any given time. He said that the Hoot ANR system is currently the only one that is still in testing at this time.

Mr. Wengrowski went on to say that the Commission staff uses third-party, independent testing programs to identify technologies before introducing them into the Pilot Program. He said there

are 14 systems that have gone through the testing that have not been added to the program. He said that invitations were sent to those vendors and four sent a response. He said that three of those systems have been found to be effective in independent testing and in use elsewhere in the country.

He said that the fourth system, the Busse system, had previously been in the Pilot Program. It had been removed from the program because there were no installations of the system. He mentioned that it is a German-based company that has since found a New York vendor that is interested in using the technology. The company identified how they will market and support the system in New Jersey. Therefore, staff recommends that it be added back to the program.

Mr. Wengrowski indicated that staff uses the septic dilution model in the CMP to determine the minimum lot size allowable for each technology. He said that three of the systems (Fuji Clean, Waterloo Biofilter, and Busse) would be suitable for residential use on one acre lots. He said the Pugo system was recommended for residential use on 1.26 acres.

He said that once the system is installed, it is monitored for three years by taking four samples annually. He said that the systems are sold with a five-year warranty and operations and maintenance contract. He mentioned that if a system doesn't meet standards, the homeowner would not be held liable for the performance.

Mr. Wengrowski indicated that three of these systems are around \$25,000, about the same cost as systems that have already been approved through the Pilot Program. He said that the Busse system is about \$10,000 more than the others and its system is different in that a portion of the system would be in the basement of the home. He expressed concern that the system would not be favorable to the Pinelands market due to its expense. He also said that the general cost of these systems remained stable over the years and were not really affected by inflation.

Mr. Wengrowski mentioned the benefits of an alternate design septic system such as: the ability to use them on parcels as small as one acre, cleaner water being discharged into the ground, and the disposal field lasts longer than a traditional septic system, with less maintenance required.

In response to a question from Commissioner Lohbauer, Ms. Grogan indicated that the Pilot Program is operating through 2025.

In response to a question from Commissioner Lloyd, Mr. Wengrowski mentioned out of the seven technologies tested during the pilot program, four have been approved and one is still in testing. He said that the Cromaglass and BioBarrier systems were eliminated due to unsatisfactory performance. He also said that due to fluctuation in system function, staff looks at the median value for nitrogen that comes out of each system.

Ms. Grogan added that the rules allow staff to suspend installations of a particular system due to failure to meet CMP water quality standards. Mr. Wengrowski said that the FAST system was

originally approved for use on one-acre lots. He said that during testing, staff noticed that it was not meeting groundwater standards and adjusted the minimum lot size requirement to 1.4 acres.

In response to a question from Chairman Prickett, Mr. Wengrowski said that the septic systems are listed on the Commission website and that the vendors have websites to market the systems. He also said that civil engineers that property owners hire for site work generally recommend one or more systems. He said the most successful technologies have partnered with local civil engineers to help them design and therefore market the systems.

In response to a question from Chairman Prickett regarding testing responsibility, Mr. Wengrowski said that the vendor is responsible for testing the systems. He said that the cost of a system includes laboratory testing.

Commissioner Avery moved and Commissioner Lohbauer seconded, with all voting in favor of forwarding a recommendation to add the four systems to the Pilot Program to the Commission.

4. Stormwater management CMP amendments

Ms. Grogan said that staff drafted a resolution for adoption of the amendments, but the Governor's office asked that the Commission not move forward with voting on the amendments. She said staff is waiting for the Governor's office to coordinate a conference call with the New Jersey Department of Transportation (NJDOT) to discuss their comments and concerns.

Ms. Grogan expressed concern that while the New Jersey Department of Environmental Protection (NJDEP) rules have taken effect, the Commission rules have not, which causes a gap.

Mr. Wengrowski mentioned he and Mr. Szura, an Environmental Specialist with the Commission, had a conference call with Sandy Blick from NJDOT. He said that Ms. Blick also contributed to the Commission's stormwater rules in 2006.

In response to a question from Commissioner Avery, Ms. Grogan indicated that staff has a list of NJDOT concerns that will be discussed at the upcoming meeting.

In response to Commissioner Irick's question as to NJDOT objecting to Commission rules and not NJDEP rules, Mr. Wengrowski stated that NJDOT commented on the NJDEP rules. He said that NJDEP may have disagreed with some NJDOT comments and made accommodations for others. He said that Commission staff has taken the same approach.

Mr. Wengrowski presented a slideshow with comments on the stormwater management rule proposal (*attached to these minutes and on the Commission website at: https://nj.gov/pinelands/home/presentations/Stormwater%20Management%20PowerPoint%20of%20or%2010_29_21%20PI%20%20v.2.pdf*)

Mr. Wengrowski said that the group of commenters consisted of individuals, State agencies and authorities, non-profit organizations, private organizations, and one engineering firm.

He said that the Commission received comments both in support and opposition of the rule proposal and that they were frequently on the same issue. He said we also received requests for changes and clarification of certain rules.

Mr. Wengrowski explained that the water quality and discharge requirements, which will apply to regulated motor vehicle surfaces in excess of 1,000 square feet, is due to fact that roadways tend to collect chemicals from automobiles, and the chemicals will wash away with stormwater.

Regarding a request that the CMP provide for adoption of future NJDEP amendments that might allow flexibility for public roadway projects in meeting stormwater requirements, he said that is already provided for in the proposed CMP amendments. He noted that the Commission could decide not to incorporate a specific NJDEP rule amendment into the CMP but would need to amend the CMP to do so.

He said that there are already exemptions in place for de minimis impacts. He said that the threshold is 1,000 square feet.

As for the request that the CMP provide for waivers from full compliance with stormwater requirements, Mr. Wengrowski said that the Commission has never allowed for full waivers. However, that the proposed amendments continue to allow for granting of exceptions if off-site mitigation is provided that would correct an existing stormwater issue in the same watershed.

Mr. Szura said that NJDEP is working on some additional rule changes that may allow public roadway projects to receive a full waiver from stormwater requirements. He clarified that it would allow entities such as NJDOT to not have to meet standards.

He also said that the current rules give an allowance to projects that cannot meet all of the requirements because of a genuine reason (engineering, environmental issue). He said that the standards would have to be met somewhere else, in another area. He said the current CMP regulations are open-ended and the proposed amendments help to clarify the requirements for exceptions and mitigation.

He said that NJDOT's position is that if a project could be exempted from NJDEP stormwater rules, then it should be exempt from Pinelands rules as well. He said this is something the Commission and staff discussed previously, at several P&I Committee meetings. The Commission ultimately determined that full waivers were inappropriate as they did not adequately protect Pinelands resources.

Ms. Grogan added that NJDOT roadway projects would remain eligible for exceptions from CMP stormwater standards. She clarified that the intent of the rule proposal was to help determine whether public linear development projects should be eligible for a blanket waiver or if the Commission should retain its long-standing practice of allowing an exception only with mitigation or an offset.

Ms. Grogan said that there haven't been many linear projects that couldn't meet the stormwater standards. Mr. Szura said that most have been non-linear projects such as parking areas.

Mr. Szura clarified that the rule proposal is no more restrictive than the existing rule. He said that it's more specific on how to implement the rule for exceptions and mitigation.

In response to a question from Commissioner Avery, Ms. Roth stated that it doesn't seem like this request is limited to just state roadway projects. She said that the Commission received comments from local authorities with a similar concern.

In response to a question from Commissioner Lloyd, Ms. Grogan stated that since any roadway application would be for public development, it would be brought to the Commission for approval. The Commission itself would determine whether an exception should be granted and if the proposed off-site mitigation were adequate.

Mr. Wengrowski described the request for exemption to comply with nitrogen removal standards on vegetative areas that will not receive more than one application of starter fertilizer. He said there is an issue with interpretation of the CMP rule to remove nitrogen to the extent feasible.

He said that studies have shown that the Pinelands environment is sensitive to nitrogen. He explained that using green infrastructure (GI) Best Management Practices (BMPs) in a series helps to greatly reduce nitrogen levels.

Mr. Wengrowski said that staff recognizes that grass medians and shoulders are not maintained the same as a residential yard. He said that fertilizer is only used once to establish the vegetation in the median and shoulder areas. He said median and shoulder areas would not be required to meet enhanced nitrogen removal standards because they are not subject to frequent fertilizer.

Mr. Wengrowski explained that spatial distribution of smaller stormwater management measures helps to discharge stormwater as close to the source as possible, and that is more natural.

He agreed that using two GI BMPs in series requires greater amounts of disturbance. He went on to say there is a difference in disturbance for development and that for protecting the environment. He said that the disturbance for GI BMPs can have an aesthetic benefit because they are often vegetated.

Mr. Szura mentioned that the 65 percent reduction in nitrogen is a proposed CMP standard. He said that the NJDEP rule that will also be adopted by the Commission requires the use of multiple BMPs in series to meet other standards.

Mr. Wengrowski added that there is already a requirement for the use of multiple BMPs to remove suspended solids in stormwater from high-pollutant load areas.

He addressed the concern on how applicants will prove they achieved a 65 percent removal in nitrogen by stating that there is a calculation that is done using a method from NJDEP.

Mr. Wengrowski said that NJDEP exempts minor, non-residential development from stormwater management. He said that the Commission's goal is to ensure stormwater gets into the ground so it can recharge the Kirkwood-Cohansey aquifer; therefore, the proposed CMP amendments impose stormwater management requirements on minor development.

In response to a request to expand standards to require onsite infiltration for more than 500 square feet of regulated motor vehicle surface, Mr. Wengrowski said that staff felt that it was not appropriate at this time to regulate development down to that small scale.

Mr. Wengrowski mentioned the concern for enforcement of maintenance requirements. He said that NJDEP and the Commission require that stormwater BMPs be maintained.

He mentioned that the need for recordation of deed restrictions or deed notices on those portions of a property not being developed or used for stormwater purposes was found to be unnecessary. Applications for future development on such lands will need to demonstrate consistency with CMP stormwater standards.

As for the concern on the restrictions for using the Rational Method, Mr. Wengrowski said that engineers can still use the Rational Method for things like sizing pipes and conveyances. He said that it's not something that should be used for calculating the volume of water that needs to be infiltrated. Mr. Szura added that the policy to not use the Rational Method has been in place since the founding of the Commission.

Mr. Szura said that the use of the Rational Method has been found to be too general and not accurate. He mentioned that staff rarely receives submissions using the Rational Method.

He said that the current CMP allows for development on a portion of a parcel, provided a deed restriction or deed notice is placed on the remainder of the parcel not proposed for development or included in stormwater calculations. He said that a deed restriction was unfavorable for developers. Most have selected a deed notice. He said that regardless, future development would still have to meet stormwater standards, making the deed restriction or notice unnecessary.

Commissioner Lloyd expressed concern about removing the requirement for a deed notice. Mr. Szura said that the parcel owner should be responsible for understanding the development limitations of the parcel. Ms. Roth emphasized that when a portion of a parcel is subdivided for a project, the lots that are created must be developable. She said that a deed notice is not an actual restriction on future development.

Mr. Horner mentioned that requiring a deed notice that only references the need to meet stormwater requirements in the future was difficult to explain when there are multiple requirements that an applicant would have to meet when applying for future development.

Commissioner Lloyd commented that having a deed notice might take some of the burden off the Commission.

Mr. Wengrowski said that the response to the proposed rule to retain and infiltrate stormwater runoff solely from the roof of new dwellings was a request that infiltration be required for runoff from all impervious surfaces and not limited to roofs. He said that NJDEP does not regulate stormwater management for minor residential development, and it had not been required previously in the CMP. He said that this directly affects individual homeowners building a dwelling and staff felt it would not be appropriate at this time to require that level of stormwater management. He said that managing stormwater from a rooftop alone can be a significant obligation.

Commissioner Lloyd mentioned that he has seen instances where towns have restrictions on the amount of impervious surface permitted on a parcel and asked how prevalent these standards are in Pinelands municipalities. Ms. Grogan said that the CMP does not have specific limitations on impervious surface. She said that the Commission generally relies on the municipality to make such determinations on a zone by zone basis. She said that the Commission will advise a municipality if the amount of impervious surface being permitted would be considered excessive, based on the development intensity permitted by the CMP in a particular Pinelands management area.

In response to Commissioner Lloyd's question about Commission comments to municipalities, Ms. Grogan said that when something in a proposed ordinance does not meet standards in the CMP, a letter will be sent outlining the issue and suggesting ways in which it may be addressed consistent with the CMP. Municipalities generally accept the Commission staff's recommendations.

She said that there are no significant changes in the amendments regarding waivers and mitigation for roadway projects. She said that staff will keep track of applications to see if issues develop over time.

5. Electric Transmission Right-of-Way Maintenance Pilot Program

Ms. Roth presented an update on potential amendments for the Right-Of-Way (ROW) Maintenance Pilot Program (*attached to these minutes and on the Commission website at: [https://nj.gov/pinelands/home/presentations/ROW%20Amendments%20\(PI%2010_29_21\)%20\(Final\).pdf](https://nj.gov/pinelands/home/presentations/ROW%20Amendments%20(PI%2010_29_21)%20(Final).pdf)*).

Ms. Roth reviewed the new CMP provisions recommended by the staff. She explained that a development application will not be required for vegetation management conducted within existing ROWs for electric transmission lines as long as there is no increase or expansion in the width of the area of existing, managed ROW and no new or additional development is proposed.

She said that all vegetation management activities must be conducted in accordance with the New Jersey Pinelands Electric Transmission Line ROW Vegetation management Plan or with the vegetation management prescriptions to be added to N.J.A.C. 7:50-6:28.

Ms. Roth said that the ROW Plan will be incorporated in the CMP by reference and the specific management prescriptions identified in the 2009 ROW Plan for 3,041 existing spans will continue to apply to those spans.

She said that there will be standards that will apply to new or expanded spans. She said that hand cutting/manual clearing will be permitted year-round in uplands, mineral soil wetlands and muck soil wetlands. She said that Mr. Bunnell, the Commission's Chief Scientist, indicated that mineral soil wetlands are more resilient. She said that mowing will be permitted in uplands and mineral soil wetlands only between December 1st and February 28th to protect snake species. She said that mowing will not be permitted in muck soil wetlands.

Ms. Roth said that motor vehicle standards will apply to all transmission ROWs. She said that motorized vehicle use will be permitted in uplands and mineral soil wetlands only in the winter months. She said vehicles will not be permitted in muck soil wetlands. She also said that vehicles will be permitted on existing access roads within ROWs year-round.

She said that utility companies will be required to submit spreadsheets to the Commission on an annual basis to identify all vegetation management activities conducted in the preceding year. She said those spreadsheets must contain identification of each span by specific span number assigned in the ROW Plan or by GIS coordinates for new or expanded spans, a list of the vegetation management prescriptions conducted in each span during the reporting period with the dates of such work, and any issues that may have arisen during implementation of the vegetation management prescriptions in each span.

She said that the utility companies will be required to make escrow payments to the Commission to fund ongoing inspections and preparation of periodic reports on the vegetation management within the ROWs.

Ms. Roth said that the existing ROW Vegetation Maintenance Pilot Program will be repealed upon the adoption of the new rules.

Commissioner Lohbauer expressed his appreciation for the Commission staff's efforts to create the rules using the input from the Commissioners.

Chairman Prickett praised the utility companies for working closely with the Commission to create and implement the maintenance plan.

Ms. Grogan said that Ms. Roth is currently drafting language for the CMP amendments to be presented to the Committee in the near future. She said that Commission staff will keep the utility companies updated on the progress of the amendments.

In response to a question from Commissioner Avery, Ms. Grogan indicated that the Commission does not require anything from the Board of Public Utilities (BPU). She said that the BPU does receive updates on the rule proposals.

6. Discussion of priorities and schedules for CMP Amendments

Ms. Grogan gave a presentation on the priorities and schedules for CMP amendments (*attached to these minutes and on the Commission website at:*

<https://nj.gov/pinelands/home/presentations/Rulemaking%20Priorities%20October%202021.pdf>).

She said the amendments that are currently in progress are for stormwater maintenance, the Electric Transmission ROW Maintenance Pilot Program, and water supply, specifically the Kirkwood-Cohansey aquifer.

Ms. Grogan said the stormwater management rules are near completion and the ROW rules are outlined and need to have language drafted. She said the water supply rules have been discussed over many years and have rules drafted. She said that Commission staff members are working to develop an appropriate implementation mechanism. She said that the draft amendments rely on several different models when an application for a new well is submitted.

She said staff is working on an agreement with the United States Geological Survey (USGS) whereby USGS would review the models prepared by applicants and provide reports and information for the Commission staff to use in its review.

She said that work on the rule language had to be paused so that Commission staff could focus on how the new rules would be administered. She said that the rules are now being reviewed and the Commission staff is making edits and clarifications. She said that the rules should be ready to present in the new year.

In response to a question from Chairman Prickett, Ms. Grogan said that when an applicant submits an application for a new well, the rules would specify a series of standards, testing, and modeling. The applicant and their consultant would be responsible for running the model and providing it to the Commission. She said that information would be forwarded to USGS for review. She said the payment for that review would come from an escrow funded by the applicant. She said that USGS would then report back to the Commission with their findings.

Ms. Grogan said that she used the plan review priorities from 2014 to create the current list of priorities. She said that a couple of the priority items were implemented but most were not.

She said that the Planning Office made many presentations over the years for rules pertaining to Pinelands Development Credit (PDC) enhancements. She said that there have been numerous rule proposals and amendments drafted. She said that they are primarily amendments to increase demand for PDCs in Regional Growth Areas and to expand them to other areas of the Pinelands.

Ms. Grogan said that while there currently high demand for PDCs, there should still be focus on amending the CMP for the use of PDCs on both the supply and demand side, as well as allocation.

She said that the Black Run management area in Evesham Township is in need of changes to create a significantly expanded Forest Area as well as other adjustments to management area boundaries. A rule proposal was drafted but the Commission did not move forward. She said that Evesham Township has recently adopted a master plan amendment that recommends a number of those changes.

Ms. Grogan mentioned that the CMP does not contain specific application requirements for organized recreational vehicle events. She said that draft amendments were prepared, and stakeholder meetings were held, but the Commission did not proceed.

Ms. Grogan said that the next amendments on the list relate to new State initiatives.

She mentioned that climate change was also identified in the 2014 plan review as a priority. She said that the Pinelands Climate Committee has been charged with the task of considering CMP amendments and standards. She said the amendments could address things such as solar energy and tree replacement.

Commissioner Lohbauer proposed that the Climate Committee commit time at its December meeting to focus on CMP amendment language.

Ms. Grogan said that the topic of cannabis facilities had been discussed with the Committee recently. She said there are new state regulations in place. She said that the Commission staff is currently reviewing those regulations, municipal ordinances, and applications. She said there is a need to address large scale indoor cultivation facilities in the Agricultural Production Area.

She said that the topic of environmental justice had not been discussed previously. She said that the Governor issued an Executive Order and the Legislature has adopted new legislation applicable to NJDEP in its review of permits for certain types of facilities such as incinerators, recycling facilities, and any kind of use that would potentially contribute to air pollution.

Ms. Grogan said NJDEP has identified and mapped what are being considered as overburdened communities. She said there are a number of factors that classify a community as overburdened. The concern is with the development or expansion of facilities in these communities.

She said that NJDEP has been tasked with developing rules for its review of permits for the list of facilities of concern. The rules may involve requirements for additional hearings, notices, and mitigation. The Commission has not been involved in the NJDEP stakeholder or rulemaking process to date.

In response to Commissioner Lloyd's concerns about overburdened communities, Ms. Grogan mentioned that there is an online map that identifies those communities. She said that it was created using census block data and that if a block met the criteria, the entire municipality was marked. She also said that most of the facilities of concern are already not permitted anywhere in the Pinelands.

Commissioner Irick expressed concern with the number of Pinelands municipalities that had been identified as overburdened communities. Ms. Grogan mentioned that there are curious features to the NJDEP map, in that some of the identified census blocks are in areas of very low population, where most of the land is permanently preserved. Commissioner Irick also expressed concern with the possibility of undesirable facilities being pushed into these low-density Pinelands communities.

Commissioner Lohbauer left the meeting at about 11:36 a.m.

Ms. Roth said NJDEP must conduct an analysis to see if there are environmental or health impacts from these existing types of facilities.

In response to Commissioner Avery's concerns, Ms. Grogan said that there is very little likelihood of any new facilities being approved in the Pinelands Area. She said there are existing facilities that may need to be addressed in the renewal of their permits.

Ms. Grogan outlined the list of CMP amendments described as land use and development standards. She said that former Commission staff member Robyn Jeney made a comprehensive study of cluster development standards with suggestions for revisions and clarifications.

She said that solar energy facilities have been discussed by the Climate Committee. She said there are amendments that could be made to encourage solar energy facilities.

She also said that horizontal directional drilling has been a recent topic of discussion by the Committees.

Ms. Grogan mentioned that the forestry rules were last studied in 2004-2006. She said they may be due for further review. She said that rules for herbicide use should be looked at separately even though they also apply to forestry. She said there are broader implications that need to be studied.

Ms. Grogan indicated that there are several rules and standards in the CMP that have been there for a long time. She said that local communications facilities rules were very innovative when they were enacted in the 1990s. She said technologies have changed and that now causes issues with some of the standards.

She said that the CMP contains significant standards and procedures to protect historic and archaeological resources. She said they have not been looked at or amended in many years.

Ms. Grogan said that there is very little language in the CMP on how to meet threatened and endangered species standards. She said that staff has developed ways to do this and that they should be codified.

She said there have been issues with the application review procedures. She said that there are issues with the permitting process for gap projects for things such as infrastructure where municipal approval is not required.

She said that there has been discussion on utility distribution lines and application exemptions. She said that Commission staff has identified some clarifications that would be of benefit.

Ms. Grogan said that violations are often discussed. She mentioned that the Commission has little enforcement authority. She said that one way to handle violations would be in the fee required for applications to address a violation. She said those application require a more extensive review. She said that rules were drafted years ago and were endorsed by the Commission but were subsequently removed from the rule proposal at the request of the Governor's office.

She said most approvals from the Commission do not expire. She said there were rules written to address one category of waivers that do not expire, but these rules were not advanced. She mentioned that Certificates of Filing do not have an expiration date and that causes issues when long periods of time go by. She said there is an issue when there is an older site or subdivision plan approval where time had passed, and zoning or rule changes have occurred. She said that it becomes difficult for Commission staff, municipalities, and applicants to resolve these issues.

She mentioned a need for rules to codify public comment procedures for public development applications.

Chairman Prickett mentioned the idea of discussing CMP amendments during Committee meetings on a quarterly basis. Ms. Grogan agreed that it would be beneficial to have regular progress reports and an opportunity for the Committee to discuss and reprioritize.

Commissioner Irick expressed his appreciation to Ms. Grogan and Commission staff for compiling the information for the amendments. He proposed that the Commissioners reply to Ms. Grogan with a list of priorities. Commissioner Lloyd concurred.

Commissioner Avery recommended that the list of priorities should be forwarded to all Commissioners for response. He mentioned that some of the previously drafted amendments could be enacted quickly.

Commissioner Lloyd left the meeting at 12:00 p.m.

7. Public Comment

Rhyan Grech from the Pinelands Preservation Alliance expressed appreciation to the Commission for their list and discussion on the CMP amendments. She said they look forward to participating in the process.

She said they are glad to see environmental justice on the list. She suggested the Commission not allow people with resources, money, and influence to push objectionable projects into areas with people who do not have such resources.

She encouraged the Commission to have an evidentiary hearing, an opportunity for sworn witnesses and expert testimony, and to provide cross examination for public and private applications. She said that it would allow an opportunity to fully examine a project and form a complete record that could be reviewed to determine CMP compliance.

Fred Akers from the Great Egg Harbor Watershed Association commended the Commission on the graduation of the ROW Pilot Program. He said it was a very progressive project. He said he is glad it is a success.

Commissioner Avery also expressed his appreciation to Ms. Grogan and the Commission staff for their work on the presentations. Chairman Prickett echoed his sentiment.

Chairman Prickett closed public comment at 12:08 p.m.

There being no further discussion, Commissioner Avery moved the closing of the meeting. Commissioner Irick seconded the motion. The meeting concluded at 12:09 p.m.

Certified as true and correct

A handwritten signature in black ink, appearing to read "Dawn Holgersen", with a long, sweeping horizontal line extending to the right.

Dawn Holgersen
Office Assistant
November 16, 2021