



NEW JERSEY PINELANDS COMMISSION

MONTHLY MANAGEMENT REPORT



Reflections of fall foliage on Wells Mills Lake in Wells Mills County Park in the Pinelands, as photographed in October

OCTOBER 2024

1 EXECUTIVE OFFICE

1.1 EXECUTIVE DIRECTOR

1.1A COMMITTEE MEETINGS

- **Personnel & Budget (P&B) Committee:** The Committee met on October 29, 2024 to review routine financial matters, including application fee revenue received during the first quarter of Fiscal Year (FY) 2025. The Committee also met in closed session to discuss confidential matters.
- **Pinelands Climate Committee:** The Committee did not meet in October.
- **Policy & Implementation (P&I) Committee:** The Committee met on October 25, 2024 and received a presentation on the New Jersey Department of Environmental Protection (NJDEP) proposed REAL Rule Amendments relating to Coastal Zone Management and possible impact on Pinelands activities. Staff noted the need for a future discussion with NJDEP on existing Memoranda of Agreement (MOAs) and the impact to permitting in the Pinelands should the rule amendments be adopted. Staff provided a summary and reviewed evaluation criteria for two Pinelands Conservation Fund (PCF) 2024 Land Acquisition project applications. The Committee met in closed session to review project specifics, allocation requests, and funding. Committee members returned to open session and moved to accept the staff recommendation that grants should not be awarded for the two projects.

1.1B RULEMAKING

- **Water Management (Kirkwood-Cohansey):** In March, staff finalized and distributed municipal model ordinances implementing the December 2023 Pinelands Comprehensive Management Plan (CMP) water management amendments. Pinelands municipalities have until December 4, 2024 to adopt the ordinance. Staff has encouraged Pinelands municipalities to adopt the ordinance as soon as possible. As of the end of October, 46 municipalities had submitted adopted ordinances to the Commission. Staff will continue to conduct outreach to ensure municipal adoption of the model ordinance.
- **Stormwater Management:** In March, staff finalized and distributed municipal model ordinances implementing the December 2023 CMP water management amendments. Pinelands municipalities have until July 13, 2024 to adopt the ordinance. As of the end of October, 46 municipalities had submitted adopted ordinances to the Commission. Staff will continue to conduct outreach to ensure municipal adoption of the model ordinance.

1.1C OPEN PUBLIC RECORDS ACT

- A total of 10 Open Public Records Act (OPRA) requests were received in October. Seven were provided responsive material, one request was withdrawn and two were advised that there were no responsive documents.

1.1D PINELANDS MUNICIPAL COUNCIL

- The Pinelands Municipal Council did not meet in October.

1.2 LEGAL AND LEGISLATIVE AFFAIRS

1.2A LITIGATION

- **In Re Challenge of Clayton Sand Company to December 4, 2023 Amendments to N.J.A.C. 7:50-1.1 et seq., A-001476-23** – On February 26, 2024, the Attorney General’s office notified the Commission that Clayton Sand Company had filed a Notice of Appeal of the amendments to the Water Management Rules at N.J.A.C. 7:50-6.86(d)2 of the Pinelands CMP (i.e. the Kirkwood-Cohansey rules). The appeal challenges the rule adoption as procedurally and substantively defective. The Statement of Items Comprising the Record has been filed with the Court and a briefing schedule established. Clayton’s Brief was filed and accepted by the Appellate Division on July 31, 2024. A motion to extend the time for the Commission to file its brief was granted on October 31, 2024. The Commission’s brief is now due on November 29, 2024. Winslow Township filed a Motion to Intervene or, in the alternative, to appear as an *Amicus Curiae* in this appeal on September 16, 2024. A letter was submitted to the Court on September 26, 2024 advising that the Commission took no position regarding Winslow’s motion. The Township’s Amicus Brief is due October 30, 2024. The Township has filed a motion seeking to extend that deadline.
- **Hovsons, Inc. et.al. v. Babbit, et. al., Civil Action No. 00-3943 (MLC/TJB)** – Earlier this year, Hovsons, Inc. filed a motion with the Federal Court seeking to enforce the terms of the 2004 settlement agreement between Hovsons, the NJDEP, the Pinelands Preservation Alliance and the Commission related to development of the Heritage Minerals tract in Manchester Township. At a status conference on May 14, 2024, the Judge ordered the parties to engage in mediation. The parties agreed to use Ralph Marra as the mediator. Mediation sessions occurred on September 5, 2024 and September 10, 2024. At the conclusion of the mediation session on September 10th, Hovsons agreed to provide NJDEP with a reassessment of the vegetative cover calculation and an overlay of current site conditions. A third mediation session has tentatively been scheduled for December 12, 2024.

1.2B LEGISLATION

A summary of legislation specific to the Pinelands Area or Commission is provided below. A summary of other pending legislation potentially related to the Pinelands is attached at the end of the document (Attachment 1).

Pinelands Specific Legislation

<u>Bill No.(s)</u>	<u>Prime Sponsor(s)</u>	<u>Synopsis</u>	<u>Current Status</u>
A4162/S2424	Calabrese, Hall Smith, McKeon	Establishes various programs in the New Jersey Department of Environmental Protection (NJDEP) concerning management of publicly owned forested land; appropriates \$60 million.	Assembly Bill – Introduced, Referred to Assembly Environment, Natural Resources, and Solid Waste Committee on 4/8/24. Senate Bill - Reintroduced, Referred to Senate Environment and Energy Committee on 1/29/24.

1.2C INTERGOVERNMENTAL AGREEMENTS

- Pemberton Township:** This Memorandum of Agreement (MOA) between the Township and the Commission authorizes a deviation from CMP wetlands and wetlands buffer standards to accommodate surfacing of an existing trail at Pemberton Lake for accessibility purposes. The Commission approved execution of this MOA at its January 12, 2024 meeting. The MOA specifies that the Township must complete and submit its revegetation plans, rain garden plan, wetlands general permit and right of entry approval from NJDEP before the trail improvement project may commence. The Commission issued a Freshwater Wetlands General Permit 17 for the project on May 31, 2024. On June 3, 2024, the Commission staff was copied on an email from Pemberton Township to NJDEP providing notice that Pemberton was starting preliminary site work for the project. Included with this email was a copy of a Right of Entry Agreement between the NJDEP, Pinelands Preservation Alliance (PPA) and Pemberton Township that was issued on May 23, 2024. Review of the Right of Entry Agreement revealed a number of inconsistencies with the MOA. After discussions with NJDEP, staff emailed the Township on July 9, 2024 to provide details on the inconsistencies and request that the missing items be submitted. Revised revegetation plans were submitted to the Commission on September 4, 2024. These plans, however, did not include a replacement plan for vegetation that did not survive. Staff sent Pemberton Township and PPA an email on September 20, 2024, advising of the need to submit such a plan. A revised revegetation plan was submitted to the Commission on October 10, 2024 and is under review.
- Stafford Township:** This MOA between the Township and the Commission authorizes a deviation from CMP wetlands buffer standards to accommodate paving of an existing trail around Forecastle Lake for accessibility purposes. Staff presented a draft MOA to the CMP Policy & Implementation Committee at its July 26, 2024 meeting. Virtual public hearings were held on August 14 and August 29, 2024. The Commission approved execution of the MOA at its September 13, 2024 meeting. On October 16, 2024, the Stafford Township Council passed a resolution authorizing the Mayor, or his designee, to execute the MOA.

- Evesham Township:** The Township is proposing an MOA that would accommodate surfacing of an existing trail and parking improvements within wetlands and wetlands buffers in the Black Run Preserve. The MOA also proposes to address a number of outstanding violations in the Preserve, where development was undertaken without application to, or approval by, the Commission. Township representatives met with Chair Laura E. Matos and the Executive Director on January 17, 2024 and provided an overview of their proposal. After receiving the recommendation of the P&I Committee, the Township made a presentation to the Commission at its April 12, 2024 meeting regarding the project and need for a deviation MOA. The Commission authorized the staff to work with the Township to develop the draft MOA. Staff conducted a site inspection with representatives of Evesham Township on May 14, 2024. On June 19, 2024, Evesham provided additional maps and asked for guidance concerning the threatened and endangered (T&E) species work that needs to be conducted on the site. Staff provided the Township such guidance on July 9, 2024. Evesham Township submitted additional information on July 25, 2024. Commission staff and representatives of Evesham Township met on August 27, 2024 at the Commission's offices to discuss the threatened or endangered species work and other application submittals required as part of the MOA process. A conference call between staff and representatives of Evesham occurred in early September to discuss the portions of the Black Run Preserve that were subject to a 2008 Deed Restriction. Evesham Township subsequently provided a list of Blocks and Lots that comprise the Preserve and the full acreage of same.
- South Jersey Transportation Authority (SJTA):** The Federal Aviation Administration (FAA) contacted Commission staff on May 21, 2024 regarding potential development at the Atlantic City International Airport. FAA is currently assessing the appropriate level of environmental investigation for the potential development under the National Environmental Policy Act. The requested meeting occurred virtually on June 7, 2024. Atlantic City International Airport is the subject of a 2004 Memorandum of Agreement and an April 16, 2019 MOA Amendment between the Pinelands Commission and the SJTA. Both the MOA and MOA amendment allow deviations from the CMP's threatened or endangered wildlife standards because of development impacts to threatened and endangered bird species, among other things. Staff emailed SJTA on June 26, 2024 to reiterate the importance of discussing any additional development proposed at the airport and the likelihood that a second MOA amendment would be necessary, particularly if new development is proposed in the area of a former Grassland Conservation Management Area. By letter dated August 27, 2024, Counsel for the SJTA requested a meeting with Pinelands Commission staff to discuss proposed development at the airport, both within and outside the former Grassland Conservation Management Area. Staff met with representatives of SJTA on September 20, 2024. Additional information concerning the proposed development within the Auxiliary Development Area was submitted by SJTA on October 22, 2024. A meeting with SJTA staff and its representatives will occur in early December.

1.3 HUMAN RESOURCES

- Recruitment:** In October, recruitment efforts continued for a Resource Planning Specialist in the Land Use Programs Office and an Environmental Specialist in the Regulatory Programs Office. Additionally, a candidate was chosen to fill the Research Scientist 3 vacancy. Their start date is November 4, 2024.

- **Contract Negotiations:** Meetings between management and the Commission's outside labor counsel were held on October 7, 2024 and October 25, 2024.
- **Employee Benefits:** Open Enrollment was held during the month of October for staff needing to make any changes or updates to their health and/or dental plans.
- **Training:** Staff attended the following Webinar trainings: GoToWebinar - 5 Steps to Retirement Readiness.

2 INTERAGENCY COORDINATION

- **Interagency Council on Climate Resilience (IAC):** Staff participated in the monthly IAC meeting. The IAC has requested member agencies to submit information on agency efforts toward climate resilience undertaken during the 2024 calendar year to be compiled in an IAC annual report. Staff will compile and submit related information in November. The Vulnerability Assessments work group met in October. The work group shares member approaches to developing vulnerability assessments at monthly meetings. The October meeting included a presentation by New Jersey Meadowlands staff about a vulnerability assessment prepared by Rutgers University for the Meadowlands Commission. The assessment looked at community assets, affordable housing, infrastructure, and other community needs for a return to normalcy after a flooding event, as well as community assets that are within areas of anticipated sea level rise.
- **Barnegat Bay Partnership:** Staff attended the third Barnegat Bay Information session titled *Establishing a New Pollution Budget for Barnegat Bay: Achieving a Barnegat Bay Nitrogen Water Quality Standard through a TMDL Implementation Plan*. The meeting was focused on implementing the proposed 450 ug/mL nitrogen total maximum daily load (TMDL.) NJDEP staff reported that they are aiming to publish the *TMDL Implementation Plan*, data and United States Geological Survey (USGS) model in the NJ Register in early 2025 as an amendment to the Ocean County Water Quality Management Plan (WQMP). Barnegat Bay Partnership summarized some ongoing projects and proposed projects that could offer opportunities to capture nitrogen. NJDEP staff discussed funding sources such as the NJ Waterbank and NJDEP water quality restoration grants. Pinelands staff previously provided feedback to the group on suggested projects for water quality improvement on the nitrogen TMDL.
- **NJDEP Infrastructure Trust rules:** Staff continues to collaborate with NJDEP and the I-Bank to prepare amendments to the rules for infrastructure project funding. These amendments will update N.J.A.C. 7:22 including parts of that chapter related to evaluating allowable project costs for Pinelands Infrastructure Trust projects. A target date for publishing a rule proposal has not been set.
- **Water Supply Advisory Council (WSAC):** Staff attended the WSAC meeting and heard a presentation by USGS staff about the projected effects of water withdrawals through 2040 on coastal plain aquifers. The report is available online at <https://doi.org/10.3133/sir20245028>. The report relies on water allocations over 100,000 gallons per day (gpd), and projections for the Kirkwood-Cohansey aquifer in the report are considered less reliable for purposes of

projected water allocation impacts in 2040 as compared to projections for other water supply aquifers in the region.

3 LAND USE PROGRAMS

3.1 CONFORMANCE ACTIVITY

	Monthly Total	Calendar Year to Date
Master Plans/Ordinances Received		
Adopted	7	149
Drafted or Introduced	1	79
Total ¹	7	165
Substantial Issue Finding ²	1	5
No Substantial Issue Finding	8	110
No Issue Finding	2	25
Total	11	140
Finding Letters Issued³	9	87

3.2 CULTURAL RESOURCE ACTIVITY

Activity	Monthly Total	Calendar Year to Date
Applications Reviewed	13	145
Surveys Required	2	20
Surveys Reviewed	3	22
Certificates of Appropriateness Required	0	1

¹The total accounts for unique master plans and ordinances received (i.e., it does not double count drafted, introduced, or adopted submissions for the same ordinance).

² Ordinances and Master Plans that are found to raise substantial issues with respect to the standards of the CMP require formal review and approval by the full Commission.

³ A single finding letter can pertain to multiple master plans/ordinances from the same municipality.

Notable Activity:

- **Fenwick Manor Rehabilitation:** In October, staff reviewed and evaluated design consultant technical proposals to complete the rehabilitation of Fenwick Manor submitted in response to the request for proposals. Staff is working with the New Jersey Division of Property Management and Construction to award the bid and begin the process of preparing a contract.

3.3 PINELANDS DEVELOPMENT CREDIT (PDC) PROGRAM

Activity	Monthly Total	Calendar Year to Date
PDCs Allocated	0	29.12
PDCs Severed	0.75	11.75
Acres Protected	19.86	261.06
PDCs Extinguished	0	0.25
Acres Protected	0	1.83
PDCs Sold	1.0	10.00
Average Sales Price per PDC	\$90,000	\$83,350
Average Sales Price per right	\$22,500	\$20,838
PDCs Redeemed	0	11.50

Notable Activity:

- **Allocations:** A PDC Letter of Interpretation allocated 0 PDCs to a 4.63 acre lot in an Agricultural Production Area of Southampton Township. No PDCs were allocated to the lot after a 0.25 PDC reduction for one reserved right to develop a future dwelling.
- **Severances:** 0.75 PDCs were severed in Southampton Township, permanently protecting 19.86 acres in the Agricultural Production Area.

3.4 SPECIAL PROJECTS

- **Pinelands Conservation Fund Land Acquisition:** Two project proposals were received and reviewed. Neither project was located in a Pinelands Acquisition Target Area and each lacked sufficient documentation to proceed. Staff recommended and the Policy and Implementation Committee agreed that neither project should be funded at this time. Outreach to offer a new round of grants is planned for spring of 2025.

- Permanent Land Protection:** The Commission received an update on the status of permanent land protection in the Pinelands Area for the fiscal year ending June 30, 2024. As in all prior updates, most preserved land is in the Pinelands Preservation Area District, Forest Area and Agricultural Production Area. The total acreage preserved through permanent land protection programs such as open space preservation, farmland preservation, Pinelands Development Credit (PDC) severances, and other Pinelands initiatives, increased by more than 1,000 acres over the year. Among the permanent land protection programs, PDC severances brought the largest increase in permanently protected land (465 acres), with lands preserved through other Pinelands programs resulting in the second largest increase (324 acres.)

4 REGULATORY PROGRAMS

4.1 APPLICATION ACTIVITY

Activity	Monthly Total	Calendar Year to Date
Pre-Application Conferences	3	50
Certificates of Filing	22	170
Public Development Reports	1	17
Forestry Certificates of Filing	0	2
PDC Letters of Interpretation	1	23
Non-PDC Letters of Interpretation	0	2
MOA Consistency Determinations	3	35
Review of Agency Determinations	54	561

4.2 NOTABLE APPLICATIONS

- Natural Gas Main Replacement, Upper Township and Borough of Woodbine (Applicant: South Jersey Gas Company, App. No. 2017-0103.002):** On September 27, 2024, the Commission received a letter on behalf of the applicant requesting emergency authorization as provided for in the CMP to immediately replace approximately 3.25 miles of existing 8-inch natural gas main with 3.26 miles of 12-inch gas main. The existing natural gas main is located in a Pinelands Forest Area, a Pinelands Rural Development Area and a Pinelands Town Area. By letter dated October 7, 2024, the Commission staff sought clarification and additional information regarding the proposed emergency natural gas main replacement. On October 9, 2024, the applicant provided the requested clarification and additional information. After consultation with the Commission Chair, by letter dated October 17, 2024, the Commission's Executive Director authorized the applicant to undertake the emergency replacement of the existing natural gas main. The applicant will be required to complete an after-the-fact application with the Pinelands

Commission. The applicant subsequently advised that construction was scheduled to commence on October 28, 2024.

- **Landfill Soil Cap, Hamilton Township (Applicant: Hamilton Township, App. No. 1984-1306.002):** This application proposes a soil cap on a closed, municipal landfill. The landfill is located on a 38-acre parcel within the Hamilton Township Industrial Park in a Pinelands Regional Growth Area. After capping, the installation of an approximately 20-acre solar energy facility is proposed. A T&E animal species survey completed for the application identified the presence of a threatened animal species on the parcel. Although the application is complete, by letter dated July 15, 2024, the Commission staff advised the applicant that either additional T&E species survey work was required or revisions to the proposed site layout were required to demonstrate consistency with the T&E animal species protection standard. The Commission staff letter suggested the provision of forested corridors outside of the limits of the actual proposed landfill cap and solar facility to address the T&E species issue. By letter dated August 1, 2024, the applicant advised that the Commission staff's suggested approach was not practical and would jeopardize the landfill capping and proposed solar facility. By letter dated October 11, 2024, the Commission staff advised that it remained necessary to demonstrate that the proposed development meets the T&E animal species protection standard. The October 11, 2024 Commission staff letter indicated that the applicant may wish to pursue one of the two site design options provided in the Commission's July 15, 2024 letter. Alternatively, the applicant could either request that the Commission vote on the application based upon the currently proposed site design or, if the proposed development cannot be designed to meet the T&E animal species protection standard, complete a Commission application for Waiver of Strict Compliance (Waiver). A Waiver application must demonstrate that the landfill cap is required to address a compelling public need. Any such Waiver application requires the approval of the full Commission. The Commission received an October 17, 2024 email from the Hamilton Township Administrator requesting information and guidance regarding the Waiver application process. The Commission staff will provide written guidance to the Township Administrator.
- **Forestry, Egg Harbor Township, (Applicant: Federal Aviation Administration, App. No. 1987-1058.088):** By email dated August 2, 2024, the Commission staff was apprised by the NJDEP, New Jersey Forest Service of a proposed Forest Stewardship Plan application filed with the NJDEP to conduct forestry at the Federal Aviation Administration (FAA) William J. Hughes Technical Center for Advanced Aerospace. The forestry is proposed in a Pinelands Military and Federal Installation Area. The August 2, 2024 NJDEP email provided a copy of a July 31, 2024 FAA letter to NJDEP. The FAA letter indicated that since there was no waiver of "sovereign immunity" in the applicable federal law establishing the Pinelands Commission, the FAA would not be submitting an application for the proposed forestry to the Pinelands Commission. The July 31, 2024 FAA letter further indicated that based upon "sovereign immunity," the FAA cannot be compelled to pay a Commission application fee nor can it comply with any additional requirements from the Commission. By letter dated October 25, 2024, the Commission staff advised the FAA that it was not in agreement with the FAA's position. The Commission staff's October 25, 2024 letter also indicated that, notwithstanding the "sovereign immunity" issue, the CMP provides that NJDEP cannot issue any approval for development, including forestry, in the Pinelands Area unless that approval is consistent with the minimum requirements of the CMP. This means that unless the FAA addresses the forestry and other applicable environmental regulations contained in the CMP, the NJDEP could not approve a Forest Stewardship Plan.

- Youth Justice Facility, Winslow Township (Applicant: New Jersey Juvenile Justice Commission, App. No. 1981-0656.024):** This application proposes development of a youth justice facility, including residential buildings, an office and support building, a gymnasium, a greenhouse, athletic facilities and three paved parking areas. The Ancora Psychiatric Hospital is located on the parcel, which totals 605 acres in size. The proposed development is located in a Pinelands Rural Development Area. By letter dated September 20, 2024, the Commission staff advised that although the application for the Juvenile Justice Facility is otherwise complete, there are several uncapped landfills located on the parcel. The CMP requires that these landfills be capped; therefore, the uncapped landfills on the parcel constitute a violation of the CMP. On March 13, 2009, the Commission approved an application for the installation of the sanitary sewer main to service the Ancora Psychiatric Hospital. To address the landfill violation, the New Jersey Department of Human Services (DHS) indicated that all landfills would be capped by the fall of 2014. By email dated September 19, 2024, the DHS indicated that although they have been requesting funding to cap the landfills since at least 2015, budget funding issues and other critical life safety projects took precedence over the landfill capping. The CMP provides that the application cannot be deemed complete until the applicant proposes all necessary measures necessary to eliminate the landfill violation on the parcel in a time frame acceptable to the Executive Director. The CMP contains a provision that allows the Commission's Executive Director to request that an escrow be posted with the Commission for the review of complex matters. The capping of the landfills on this parcel will involve complex matters, including but not limited to an analysis of the potential impacts of landfill leachate. The Commission has previously utilized this CMP escrow provision to determine whether a permeable or impermeable landfill cap is required for other landfills in the Pinelands Area. The staff's September 20, 2024 letter also advised that an escrow may be posted with the Commission to allow the staff to undertake a review of the landfills on the parcel. This would include a determination as to the type of landfill cap (e.g. permeable or impermeable) necessary to meet the requirements of the CMP. Upon Commission receipt of an escrow check to assess the landfills, the Executive Director could determine that the applicant is initiating the application process to cap the concerned landfills within an acceptable time frame and deem the youth justice facility application complete. On October 4, 2024, the applicant submitted a \$5,000 escrow check to the Pinelands Commission. This escrow check will allow the Pinelands Commission staff to begin its analysis of the potential impacts of leachate that may be associated with the concerned landfills. On October 16, 2024, the Commission staff issued a Report on an Application for Public Development recommending approval of the proposed youth justice facility. The application is scheduled for consideration at the Commission's November 8, 2024 monthly meeting.
- Solar Facility, Ocean Township (Applicant: Southern Ocean Waretown Solar Farm, App. No. 1981-2081.012):** This application proposes an approximately 24-acre solar facility on a 125-acre parcel. The parcel is located in a Pinelands Forest Area. There is a closed and capped former Ocean County landfill on the parcel. A survey identified several T&E animal species on the parcel. The Commission staff advised the applicant that it had not been demonstrated that the proposed solar facility was consistent with CMP T&E animal species protection standards. At a July 10, 2024 meeting, the applicant's representatives discussed why they believed the proposed solar facility could be developed on the existing capped landfill consistent with T&E protection standards. The Commission staff indicated support for the proposed solar facility but indicated that it remained necessary to demonstrate that the proposed solar facility was consistent with the T&E animal species protection standard. The applicant offered to arrange a

site visit to an existing solar facility located outside of the Pinelands Area. The applicant indicated that there were known T&E animal species on that parcel located outside of the Pinelands Area and suitable habitat for the concerned species continues to exist on the parcel after the development of the solar energy facility. The applicant also indicated that Rutgers University was studying the impact of the existing solar facility on the concerned T&E animal species and that they would attempt to obtain any available study addressing the T&E animal species. By email dated August 22, 2024, the applicant indicated that they were unable to secure access to the solar facility and that the study is ongoing and not available. On September 27, 2024, the applicant submitted information from Rutgers University regarding the impact of the existing solar facility located outside of the Pinelands Area on a known T&E animal species. The submitted information was briefly discussed at a October 2, 2024 meeting. The Commission staff is currently reviewing the submitted information.

- **Stormwater Management Basins, Barnegat Township (Applicant: Paramount, App. No. 2001-0245.003):** This application, approved by the Commission in 2000, proposed the development of 563 single family dwelling units on a 368-acre parcel in a Pinelands Regional Growth Area. Approximately 330 of the 563 single family dwellings have been constructed. Based on available information, two stormwater basins on the parcel are not functioning as designed. This constitutes a violation of the stormwater management standards of the Barnegat Township land use ordinance and the CMP. By letter dated April 3, 2024, the Commission staff advised that a proposed basin remediation plan was consistent with the stormwater management standards of the CMP. On May 20, 2024, the applicant submitted a different proposal for remediation of the stormwater management basins. By letter dated July 16, 2024, the Commission staff advised that the May 2024 stormwater management remediation plan did not meet CMP wetlands protection standards. This was because the stormwater remediation plan proposed to discharge stormwater into and store stormwater in a wetlands area adjacent to the two stormwater management basins that are not functioning. By letter dated July 16, 2024, the applicant submitted information addressing why, in their opinion, the concerned area was not a wetland. By letter dated July 31, 2024, the Commission staff indicated that based upon review of the submitted information and a site inspection, the concerned area is a wetland and was delineated as such in 2000. A site meeting was held with the applicant's representatives on September 18, 2024. By letter dated September 24, 2024, the Commission staff advised that the area of concern was a wetland. On October 1, 2024, a meeting was held with the applicant and interested parties, including the Stafford Township Administrator. At the meeting, the Commission staff reiterated that the discharge of stormwater into, and storage of stormwater in, a wetland was inconsistent with CMP wetland protection standards. On October 25, 2024, a revised stormwater remediation plan was submitted to the Pinelands Commission. The Commission staff is currently reviewing the submitted information.
- **Improvements to an Existing Agricultural Access Driveway, Pemberton Township (App. No. 1983-9180.004):** On February 7, 2024, the Commission staff received a report that an existing driveway that provided access to an existing agricultural operation was being improved and widened. The parcel is located in a Pinelands Agricultural Production Area. On February 21, 2024, the Commission staff issued a letter to the property owner indicating that any widening of the existing driveway would be inconsistent with the wetlands protection standards contained in the Pemberton Township land use ordinance and the CMP. The February 21, 2024 Commission staff letter also indicated that although the CMP provides that improvements to a driveway exclusively for agricultural purposes do not require application to the Commission, the

proposed driveway improvements must still meet the wetlands protection standards of the Township land use ordinance and the CMP. The February 21, 2024 Commission staff letter also inquired as to the source of the fill/soil material that was brought to the parcel for the purposes of improving the driveway. The Township land use ordinance and the CMP prohibit the placement of fill/soil material on a parcel that would result in the degradation of ground or surface water quality. If any fill/soil material placed on the parcel contains contaminants that would degrade surface or groundwater, it must be removed from the parcel. On July 19, 2024, the property owner submitted the results of the fill/soil material testing. The test results indicate that the fill/soil material does not exceed the NJDEP regulatory levels. However, the test results show that the material deposited on the parcel contains contaminants, such as semi-volatile organic compounds, pesticides, metals and extractable petroleum hydrocarbons. By letter dated August 5, 2024, the Commission staff advised that within 30 days, the property owner complete certain additional groundwater, surface water and soil testing or a proposal must be submitted to remove all fill/soil material from the parcel by September 15, 2024. By email dated August 13, 2024, the property owner appeared to indicate that all fill/soil material would be removed from the parcel. The August 13, 2024 email requested an extension of time until December 30, 2024 to remove the fill/soil material from the parcel. By letter dated September 9, 2024, the Commission staff advised that since the concerned fill/soil material has already been located on the parcel for approximately eight months and provided Pemberton Township and the NJDEP were in agreement, the Commission would grant an extension of time until November 1, 2024 to remove all fill/soil material from the parcel. By email dated September 11, 2024, the property owner advised that they were unable to meet the November 1, 2024 deadline. The September 11, 2024 email posed additional questions and sought guidance on completing water quality testing to demonstrate that the concerned fill/soil that had been deposited on the parcel met the CMP water quality non-degradation standards. During a September 30, 2024 meeting with only NJDEP staff regarding this matter, the Commission staff was advised that the property owner was currently in the process of removing all fill/soil material from the parcel. The Commission staff conducted a telephone conference with the property owner on October 16, 2024. During that telephone conference, the property owner indicated that all soil/fill material, including asphalt product, placed on the parcel was being removed. The property owner indicated that certain “natural stone” was being kept on the parcel as a surface material for a pre-existing stone driveway. The Commission staff will be sending a letter to the property owner summarizing the results of the October 16, 2024 telephone conference, seeking the property owners confirmation that all soil and asphalt products are being removed from the parcel, requesting information regarding the ‘natural stone’ that will be kept on the parcel and clarifying the deadline for the removal of all fill/soil material from the parcel.

- Residential Development, Pemberton Township (Applicant: Equity Enterprises, App. No. 1981-0640.001):** This application proposes 578 dwelling units on an approximately 700-acre parcel. Approximately 340 acres of the parcel are located in a Pinelands Regional Growth Area and the balance of the parcel is located in a Pinelands Forest Area. The development is proposed on an approximately 180-acre portion of the parcel located in the Pinelands Regional Growth Area. A Certificate of Filing for this application was issued on June 27, 2005. On July 7, 2007, the applicant received a 12-year Township General Development Plan approval. On December 6, 2018, the Township approved a General Development Plan approval extension until June 7, 2027. Both Township approvals, somewhat equivalent to a municipal preliminary approval, raise substantial issues with the minimum standards of the CMP. At the applicant’s request, both

Township approvals are currently pending transfer to the New Jersey Office of Administrative Law (NJ OAL) for a hearing. With respect to T&E animal species, surveys were originally completed for this application between 2004 and 2006. Those surveys identified T&E animal species on and adjacent to portions of the parcel. The applicant was advised that based upon the length of time that had elapsed since the 2004-2006 surveys, updated T&E animal species surveys were required. Specifically, a September 6, 2023 email from the Commission staff advised the applicant that an updated, two-season drift fence survey for T&E snake species was required. The September 6, 2023 email further indicated that based upon the results of the first season drift fence survey, the Commission staff would evaluate the necessity of the second season drift fence survey. On June 20, 2024, an interim report on a spring 2024 drift fence survey was submitted to the Commission, indicating that no T&E snake species were observed or captured. By letter dated August 23, 2024, the Commission staff advised that a second season (fall 2024) drift fence survey was required. A meeting was held on September 10, 2024 with the applicant's representatives to discuss various aspects of the proposed development. On September 16, 2024, the Commission staff met with representatives of the Township Planning Board to discuss the application. By email dated September 16, 2024, the Township requested the Commission staff's assistance in site inspecting an area of the parcel and providing an opinion whether an approximately 0.5-acre area constituted a wetland. The applicant has delineated, and the Commission staff has confirmed approximately 290 acres of wetlands on the 700-acre parcel. By letter dated September 20, 2024, the Commission staff advised that, based upon its site inspection, the 0.5-acre area was not a wetland. At the Township's request, a representative of the Commission staff attended the September 23, 2024 Pemberton Township Planning Board meeting and fielded questions regarding various aspects of the application. On October 16, 2024, the Planning Board Solicitor forwarded to the Commission staff an October 15, 2024 letter from an attorney representing a municipal objector to the application. The attorney sought Commission staff answers to 17 specific questions regarding the Commission staff's September 20, 2024 letter determining that a 0.5-acre area on the parcel was not a wetland. The Commission staff responded by letter dated October 28, 2024, indicating that the CMP provides that the Commission must review any Planning Board approval that may be granted for the proposed development. Therefore, the Commission staff must refrain from answering the seventeen questions posed in the October 15, 2024 letter from the attorney representing a municipal objector to preserve the independence of the Planning Board in rendering its own decision on the particular wetland question and the application itself. The Commission staff's October 28, 2024 letter did provide additional supporting information addressing the basis for the Commission staff's determination that the 0.5-acre area was not a wetland.

- **Landfill Capping and Solar Energy Facility, Pemberton Township (App. No. 2021-0112.001 and App. No. 2021-0112.005):** A closed municipal landfill is located on this 27.21-acre parcel in the Pinelands Preservation Area District. On October 14, 2023, the Commission approved limited soil and vegetation disturbance on the parcel to facilitate delineation of the limits of the existing landfill. Two threatened and endangered (T&E) animal species are located on the parcel within the limits of the approximately 17-acre landfill. By letter dated January 31, 2024, the Commission staff responded to an NJDEP proposal to relocate one of the two T&E animal species from the landfill to other nearby State lands. The Commission's letter advised that although the Commission does not regulate NJDEP's proposed relocation of wildlife, the proposal raises a number of concerns. One of those concerns is the difference in professional opinions as to what constitutes "appropriate habitat" and "inappropriate habitat" for a

particular life cycle stage of a T&E animal species. The second concern is the regulatory precedent and implications of relocating a T&E species based upon a determination of “inappropriate habitat.” An application was filed with the Commission on April 24, 2024 to place a soil cap on the landfill. By letter dated May 24, 2024, the Commission staff advised that the proposed capping of the landfill was inconsistent with the T&E species protection standards. By email dated August 26, 2024, the NJDEP advised the Commission staff that they were pursuing the proposed relocation of one of the two T&E animal species from the landfill parcel to other nearby State lands. By email dated August 27, 2024, the applicant’s attorney requested a meeting with the Commission staff to discuss the application. A meeting was held with the applicant and the applicant’s representatives on October 2, 2024. At the meeting, the applicant reiterated their position that the existing landfill was not critical habitat for the concerned T&E animal species due to the waste material buried in the landfill. At the meeting, the applicant presented a minor change to the layout of the proposed solar facility in an effort to address the Commission staff’s concerns with the T&E animal species. The Commission staff advised the applicant that it would respond in writing to the proposed minor changes in the layout of the proposed solar facility. The Commission staff then received an October 16, 2024 letter from the applicant requesting a Commission Waiver of Strict Compliance based upon a compelling public need for the proposed landfill capping. Such a Waiver requires the completion of an application and approval by the full Commission. The October 16, 2024 letter addressed why the applicant believed that the uncapped landfill constitutes a public health hazard and would qualify for such a Waiver. That information is currently under review.

Other Notable Items:

- **Meeting on October 4, 2024 with staff members of the State Agricultural Development Committee (SADC).** The Commission staff met with SADC staff members to discuss CMP regulations and their effect on the future development potential of any parcel in the Pinelands Area that the SADC might consider for its Farmland Preservation Program.

4.3 OFF-ROAD VEHICLE EVENT APPROVALS

- **Application # 1982-3054.101**
Pine Barrens Adventure Camp, LLC
Approval Issued: 10/22/2024
Event Name: Pine Barrens 500
Event Date: October 25-27, 2024
Municipalities: Barnegat Township, Bass River Township, Hammonton Town, Little Egg Harbor Township, Manchester Township, Mullica Township, Pemberton Township, Shamong Township, Southampton Township, Stafford Township, Tabernacle Township, Washington Township, Waterford Township, Winslow Township, Woodland Township
Lands Utilized: Bass River, Brendan T. Byrne, Penn, and Wharton State Forests
Route Length: 345 miles

- **Application # 1988-0757.073**
Tri-County Sportsmen Motorcycle Club, Inc.
Approval Issued: 10/29/2024
Event Name: 2024 Hammer Run
Event Date: November 2 and 3, 2024
Municipalities: Corbin City, Dennis Township, Estell Manor City, Maurice River Township, Upper Township, Woodbine Borough
Lands Utilized: US Silica
Route Length: 75 miles

5 SCIENCE

5.1 ENVIRONMENTAL MONITORING

- **Water Level Monitoring:** In October, staff measured water levels at 43 forest plots and 30 ponds in the Commission network of long-term monitoring sites. This work is completed each month with assistance from the Communications Office. Due to ongoing drought conditions, all ponds were dry in October. A solar-powered weather station was installed at a continuous monitoring pond in the southern Pinelands to collect water level, water and air temperature, precipitation, and humidity data. This weather station, along with a recently installed station at a northern Pinelands pond, will enable staff to view and download the data remotely.
- **Pinelands-wide Water Quality Monitoring:** In October, staff measured pH and specific conductance at the 47 stream sites distributed throughout the Pinelands region. These two variables are inexpensive and easily measured field parameters linked to land-use related nutrient enrichment. This work is completed four times each year to monitor long-term trends in water quality throughout the Pinelands.



Above: This solar-powered weather station was installed in a continuous monitoring pond that currently has no standing water due to drought conditions.

- **Rare Snake Monitoring:** In October, Science Office staff continued to radio-track corn snakes and pine snakes to identify potential hibernation sites and habitats. Snake corrals installed at known hibernation sites were regularly visited to monitor returning snakes and to capture and process new snakes. Staff installed a passive integrated transponder (or PIT) tag reader at a hibernacula that was not conducive to a fence corral. A pine snake hatchling that was PIT tagged in the summer was recorded on this PIT tag reader, which is located over a half mile from the release location. Staff also continued to maintain and service PIT tag readers at several other pine snake hibernacula that have been studied for decades. Since snake surgeries are not conducted this late in the season, staff lightly taped transmitters to the bodies of several recently captured pine snakes to find hibernacula locations. The transmitters will be removed when the snakes emerge from hibernacula in the spring.



Above: Corrals installed at hibernation sites enable staff to monitor and assess snakes in the fall when snake prepare to enter hibernacula.



Above: A transmitter taped to the tail of this pine snake will lead staff to the hibernacula location. This method is used when surgeries cannot be performed due to the lateness of the season.

5.2 LONG TERM STUDIES

- **Box Turtle Study:** In October, Science Office staff continued to radio track turtles to determine the habitats used for foraging, nesting, and hibernating. Many of the turtles have returned to the vicinity of hibernation burrows that were used previously. A few of the tracked turtles made

uncharacteristically large, late-season movements to forested wetlands. This may be a response to severe drought conditions in the region.

- **King Snake Study:** The EPA is reviewing staff request of a one-year, no-cost extension of the project period to finish analyzing the data and write the final report.
- **Snake Fungal Disease Monitoring:** Science staff continue to collaborate with researchers at Virginia Tech to swab Pinelands snakes for snake fungal disease. Several snakes were brought back to the lab to obtain a late-season disease sample.
- **Adenovirus Study:** Science staff continue to collaborate with Rutgers University researchers to swab Pinelands snakes for adenovirus. Several snakes were brought back to the lab to obtain a late-season disease sample.

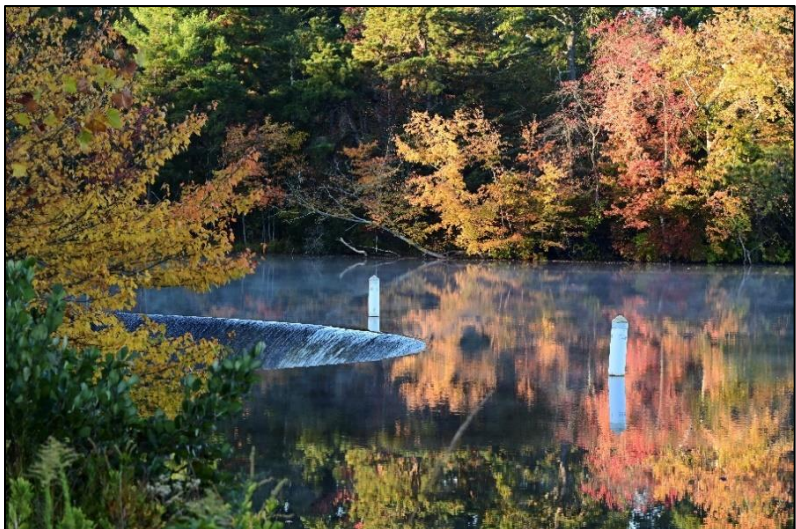


Above: Staff continue to assess snakes, such as this pine snake, for overall health and the presence of adenovirus and snake fungal disease.

COMMUNICATIONS

6.1 COMMUNICATIONS & PUBLICATIONS

- **Inquiries/Correspondence:** The Communications Office received and responded to approximately 65 inquiries from the public in October, including phone calls, e-mails, and media inquiries.
- **Website:** Commission staff made routine edits to the website in October. Staff once again contacted the New Jersey Office of Information Technology to request an estimate for redesigning the Commission's website.



Above: Commission staff shared 212 photos on its Instagram account in October 2024, including this photo of fall foliage reflecting off the fog-laden Atsion Lake in Wharton State Forest in the Pinelands.

- **Social Media**

Enhancements: In October, staff shared 212 photos and two videos on the Commission's Instagram site and 53 tweets and retweets on X.

- **Pinelands Calendar:**

In October, staff voted on the front cover and mocked up several drafts of the 2025 Pinelands National Reserve Wall Calendar. The calendar will feature a theme of "Happy Trails," while showcasing numerous trails in the Pinelands. Staff finalized the 38 photo

selections and researched, drafted and edited the photo captions. The calendar will be printed in November, with funding from the National Park Service. Approximately 1,000 copies of the calendar will be distributed at state parks and forests in the Pinelands by early December.



Above: Commission staff shared 53 tweets in October 2024, including a tweet with this photo of a great egret eating a fish at the Edwin B. Forsythe National Wildlife Refuge in the Pinelands National Reserve.

6.2 EVENTS, OUTREACH & INTERPRETIVE PROGRAMS

- **Pinelands-themed World Water Monitoring Challenge:**

Staff educated almost 100 students from Hammonton Middle School during the annual, Pinelands-themed World Water Monitoring Challenge at Batsto Lake on October 25, 2024. Students wore waders and used nets to catch fish from Batsto Lake while learning about the Pinelands. The event is co-organized by the Pinelands Commission, the NJDEP, and the NJ Division of Parks & Forestry.



Above: Commission staff educated almost 100 students from Hammonton Middle School during the annual World Water Monitoring Challenge at Batsto Lake on October 25, 2024.

- **Pinelands Education Programs:** A member of the Communications Office educated a total of about 200 people during five education programs in October.

- **Barnegat Bay Partnership:** A member of the Communications Office chaired the Barnegat Bay Partnership's Communications and Education Committee meeting on October 23, 2024.

7 INFORMATION SYSTEMS

- **Pinelands Commission Information System Upgrades:** The Pinelands Commission Information System (PCIS) is the internal system of record for all applications to the Pinelands and associated transactions. Staff provided ongoing support for PCIS application-related issues. Staff worked on draft versions of the annual report and provided them to Regulatory Programs for feedback. Staff developed a new feature in PCIS to allow for the simplified reporting on topics of interest such as solar, cannabis, and others.
- **Geographic Information Systems:** Geographic Information Systems (GIS) allow the Pinelands Commission to manage, analyze, and map relevant data. Staff continue work on creating new draft maps and update symbology on existing maps based upon feedback from the annual report review meeting. Staff worked with ESRI to ensure a smooth transition to the new contract year. Staff also worked on the zoning layer to integrate changes with the Pinelands Commission GIS Online portal.
- **Cybersecurity:** Vigilance to protect the internal networks, hardware, and data of the Pinelands Commission is critical in today's networked world. Information Systems staff participated in the monthly call hosted by the New Jersey Cybersecurity & Communications Integration Cell (NJCCIC). Staff identified two specific issues while testing the Zscaler product. Zscaler has requested additional log information before a follow up meeting will occur.
- **Conformance Tracking/Zoning system:** Staff worked with the Land Use Programs office to improve the new SQL Server database that will act as a foundation for the new system through iterative steps of data evaluation and data cleansing. Staff participated in weekly meetings with the Land Use Programs Office to receive feedback on new development and minor changes were made based upon this. New enhancements and demo screens were developed for review by the Land Use Programs staff.
- **Legacy Document Scanning:** The New Jersey Pinelands Commission was established in 1979, long before the revolutions in information systems that have taken place since then. All Commission applications and relevant documents from the earlier years were stored in paper format. The Document Scanning project was established to increase the efficiency of evaluating applications and conducting business by ensuring that all applicable documents are available electronically. Staff continued the document scanning effort and updated the status report to include additional document types now being scanned.
- **Pinelands Development Credit Bank:** The Pinelands Development Credit (PDC) Bank is the processing agency for the Pinelands Development Credit Program, one of the oldest and most successful transfer of development rights (TDR) programs in the world. The Information Systems staff provides ongoing operational support to the PDC Bank.

- **Permanent Land Protection (PLP) Data System:** The PLP system manages the data related to all the preserved land in the Pinelands National Reserve. Staff supported the Land Use Programs Office in maintaining PLP records on an as needed basis.
- **Technology Enhancements:** Staff members continually evaluate emerging technologies for how they can impact or enhance the office environment. Staff continued the required migration of legacy data and Oracle database to new server, working with Oracle support on hosting details. Staff developed a Sharepoint site to evaluate how its features could address shortcomings in the existing intranet page.

8 BUSINESS OFFICE

8.1 FINANCIAL MANAGEMENT

- **Application Fees:** October 2024, Net Total: \$57,680.60; Fiscal Year to Date Total: \$257,653.91. This equates to 34.35% of the Fiscal Year 2025 anticipated fee revenue of \$750,000. The net total for October includes 27 online application payments totaling \$17,910.98.

Attachment 1:

Pinelands Related Legislation

<u>Bill No.(s)</u>	<u>Prime Sponsor(s)</u>	<u>Synopsis</u>	<u>Current Status</u>
A575/S2751	Stanley, Karabinchak, Conaway/Greenstein	Directs DEP to develop guidelines concerning State and local government purchase of goods from recycled materials	Assembly Bill: Passed by the Assembly on 9/26/24. Received in Senate, Referred to Senate Environment and Energy Committee on 9/30/24 Senate Bill: Introduced, referred to Senate Environmental and Energy Committee on 2/15/24
A682/S699	Kean/Singer	Establishes a program, in NJDEP, for acquisition of development easements on privately-owned woodlands.	Assembly Bill - Reintroduced and Referred to Assembly Environment Natural Resources and Solid

			Waste Committee on 1/9/24. Senate Bill - Reintroduced, Referred to Senate Environment and Energy Committee.
S257	Smith	Authorizes State Treasurer to appoint Garden State Preservation Trust acting executive director under certain conditions.	Senate Bill – Reintroduced, Referred to Senate Environment and Energy Committee
A1253/S2859	Sauickie/Greenstein	Prohibits planting of non-native species in landscaping at State parks and forests; establishes grant program to support use of native plants at local parks and forests; appropriates \$250,000.	Reintroduced, Referred to Assembly Environment, natural Resources and Solid Waste Committee on 1/9/24. Senate Bill – Introduced, referred to Senate Environment and Energy Committee on 3/4/24
A1219/S2979	Sauickie/Tiver	Requires NJ Clean Energy Program incentives to be made available to commercial farms	Assembly Bill – Introduced, Referred to Assembly Environment, Natural Resources and Solid Waste Committee on 1/9/24. Senate Bill – Introduced, Referred to the Senate Environment and Energy Committee
A1300	Sauickie	Provides CBT (Corporate Business Tax) credit for construction or retrofitting of warehouses to	Reintroduced, Referred to Assembly Commerce, Economic Development and

		meet certain green building standards.	Agriculture Committee on 1/9/24.
A1301	Sauickie	Requires State Planning Commission to adopt model buffer ordinances detailing different regulatory options for siting warehouses; allows conforming updates to municipal master plans and zoning ordinances.	Reintroduced, Referred to Assembly Community Development and Women's Affairs Committee on 1/9/24.
A1302	Sauickie	Requires certain warehouses to obtain air pollution control permits from NJDEP.	Reintroduced, Referred to Assembly Environment, Natural Resources and Solid Waste Committee on 1/9/24.
A1303/S1074	Sauickie/Greenstein	Requires NJDEP to evaluate cumulative impact of stormwater when reviewing applications associated with warehouses and other high-density development projects.	Reintroduced, and Referred to Assembly Environment, Natural Resources and Solid Waste Committee on 1/9/24. Senate Bill introduced and referred to Environment and Energy Committee on 1/9/24.
A2792/S1106	Greenwald, Wimberly/Timberlake	Concerns development and use of accessory dwelling units	Assembly Bill – Introduced, Referred to Assembly Housing Committee on 1/9/24 Senate Bill – Introduced, Referred to Senate Community and Urban Affairs Committee, Combined with S2347 on 2/15/24

A3070/S2690	Guardian/Cruz-Perez, Corrado	Requires State entities to recycle certain materials and provide recycling bins	<p>Assembly Bill – Introduced, Referred to Assembly Environment, Natural Resources and Solid Waste Committee on 1/9/24.</p> <p>Senate Bill – Introduced, Referred to Senate Environment and Energy Committee on 2/12/24.</p>
A3645/S2425	Calabrese/McKeon, Smith	Establishes a low carbon transportation fuel standard program in NJDEP	<p>Assembly Bill – Introduced, Referred to Assembly Environment, Natural Resources and Solid Waste Committee on 2/12/24.</p> <p>Senate Bill – Introduced, Referred to Senate Environment and Energy Committee on 1/29/24.</p>
A3697/S2792	Spearman, Park, Simmons/Cruz-Perez, Turner	Appropriates \$500,000 from constitutionally dedicated CBT revenues and “2009 Farmland Preservation Funds” to the State Agriculture Development Committee for municipal planning grants for farmland preservation purposes.	<p>Assembly Bill – Reported out of the Assembly Appropriations Committee on 3/14/24, Second Reading. Substituted by S2792 on 6/28/24</p> <p>Senate Bill – Passed by Senate and Received in Assembly without Reference, Second Reading on 5/13/24. Passed both Houses on 6/28/24</p> <p>Signed by the Governor on</p>

			7/10/2024, P.L. 2024, c. 29
A3698/S2793	Reynold-Jackson, Freiman, Fantasia/Cruz-Perez, Turner	Appropriates \$1.723 Million from constitutionally dedicated CBT revenues and “2009 Farmland Preservation Fund” to the State Agriculture Development Committee for grants to non-profits for farmland preservation purposes	<p>Assembly Bill – Reported out of Assembly Appropriation Committee on 3/14/24, Second Reading. Substituted by S2793 on 6/28/24</p> <p>Senate Bill – Passed by Senate and Received in the Assembly without Reference, Second Reading on 5/13/24. Passed both Houses on 6/28/24</p> <p>Signed by the Governor on 7/10/2024, P.L. 2024, c. 30</p>
A3784/S2455	McCoy/Bucco	Makes \$100 million in federal funds available to NJDEP for grants to local governments for drinking water, wastewater and stormwater infra-structure projects	<p>Assembly Bill – Introduced, Referred to Assembly Environment, Natural Resources, and Solid Waste Committee on 2/22/24.</p> <p>Senate Bill – Introduced, Referred to Senate Environment and Energy Committee on 2/5/24.</p>
A3820/S609	Fantasia/Tiver	Excludes farmland from definition of “redevelopment area” and “rehabilitation area” in local Redevelopment and Housing Law	Assembly Bill – Introduced, Referred to the Assembly Commerce, Economic Development and Agriculture

			Committee on 2/22/24. Senate Bill – Introduced, Referred to Senate Economic Growth Committee on 1/9/24.
A3831	Sauickie	Expands definition of “qualifying land” for purposes of determining where a rural microenterprise may be permitted on a preserved farm	Introduced, Referred to Assembly Commerce, Economic Development and Agriculture Committee on 2/22/24.
A3833	Sauickie	Requires the Office of Planning Advocacy to publish certain information concerning warehouses over 100,000 sq. ft. on its website	Introduced, Referred to Assembly Commerce, Economic Growth and Agriculture Committee on 2/22/24.
A3914/S3268	Katz/Steinhardt	Permits agriculture-related events on preserved farmland	Introduced, Referred to Assembly Commerce, Economic Development and Agriculture Committee on 2/27/24. Senate Bill – Introduced, Referred to Senate Economic Growth Committee on 5/16/24
A3951/S2594	Fantasia/Bucco, Smith	Appropriates \$28,670,924 in 2003 and 1992 bond monies for loans for dam restoration and repair projects and inland waters projects	Assembly Bill – Introduced, Referred to Assembly Environment, Natural Resources and Solid Waste Committee on 3/4/24

			Senate Bill – Reported from Senate Environment and Energy Committee with Amendments, Second Reading on 3/4/24, Senate Amendment (Voice), Passed by Senate and Referred to Assembly Environment, Natural Resources, and Solid Waste Committee on 5/20/24
A4117/S2857	Calabrese, Conway/Greenstein, Smith	Provides corporation business tax credit to taxpayers that develop qualified native pollinator habitat on undeveloped property	Assembly Bill – Proposed for Introduction on 4/4/24. Senate Bill – Introduced on 3/4/24, Referred to Senate Environment and Energy Committee
A4137/S1029	Calabrese, Conway, Atkins/Greenstein	Prohibits sale, distribution, import, export or propagation of certain invasive species without permit from Department of Agriculture; Establishes NJ Invasive Species Council	Assembly Bill – Proposed for Introduction on 4/4/24. Senate Bill – Introduced 1/9/24, Referred to Senate Environment and Energy Committee
A4145/S3065	Lopez/McKeon, Smith	Excludes environmentally sensitive and flood-prone lands from designation as vacant or available lands for affordable housing construction	Assembly Bill – Introduced, Referred to Assembly Housing Committee on 4/4/24 Senate Bill – Reported from Senate Environment and Energy

			Committee with Amendments, Second Reading on 5/13/24
A4200/S3078	Azzariti Jr., Kanitra/Schepisi	Prohibits collecting of certain costs associated with offshore wind projects from ratepayers	Assembly Bill – Introduced, Referred to Assembly Telecommunications and Utilities Committee on 5/2/24 Senate Bill – Introduced, Referred to Senate Environment and Energy Committee on 4/11/24
A4223/S3114	Sampson/Cruz-Perez	Establishes certification program for zoning officers and land use board administrators	Assembly Bill – Introduced, Referred to Assembly State and Local Government Committee on 5/2/24 Senate Bill – Introduced, Referred to Senate Community and Urban Affairs Committee on 4/15/24
A4260	Inganamort, Kanitra, Peterson	Prohibits NJDEP from requiring certain municipalities to adopt ordinance that controls tree removal and replacement	Assembly Bill – Introduced, Referred to Assembly Environment, Natural Resources and Solid Waste Committee on 5/2/24
A4370/S2347	Lopez/Singleton, Timberlake	Concerns development of accessory dwelling units and related municipal land use regulations	Assembly Bill – Introduced, Referred to Assembly Housing Committee on 5/16/24

			Senate Bill – Reported from Senate Community and Urban Affairs Committee, Second Reading on 2/15/24
A4383/S3364	Moen/Polistina	Directs NJDEP to develop motor vehicle driving maps for State Forests	Assembly Bill – Introduced, Referred to Assembly Tourism, Gaming and Arts Committee on 5/16/24 Senate Bill – Introduced, Referred to Senate Environment and Energy Committee on 6/3/24
A4569/S2788	Freiman, Katz, Simmons/ Cruz- Perez, Turner	Appropriates \$128.241 million from constitutionally dedicated CBT revenues to State Agricultural Development Committee for farmland preservation purposes	Assembly Bill: Substituted by S2788 on 10/28/24 Senate Bill: Received on Senate, Second Reading on Concurrence on 10/28/24 Passed both houses on 10/28/24
A4789	Sauickie	Requires public utilities to develop vegetation management plans	Introduced, Referred to Assembly Telecommunications and Utilities Committee
A4791	Sauickie	Requires municipal planning boards and zoning boards of adjustment to incorporate recommendations from certain local environmental commissions on applications for development	Introduced, Referred to Assembly Commerce, Economic Development and Agriculture Committee

A4847/S3715	Fantasia/Space	Requires establishment and implementation, in certain circumstances, of wildlife management plans for open space and farmland, and authorizes use of constitutionally dedicated CBT revenues to finance activities undertaken pursuant to such plans	Assembly Bill: Introduced, Referred to Assembly Commerce, Economic Development and Agriculture Committee Senate Bill: Introduced, Referred to the Senate Environment and Energy Committee on 10/7/24
A4850	Danielsen	Prohibits procurement of single use plastic beverage containers by State and local government entities	Introduced, Referred to the Assembly Environment, Natural Resources and Solid Waste Committee
A4862/S1593	Freiman/Zwicker	The "New Jersey Town Center Microgrid Pilot Program Act"	Assembly Bill: Introduced, Referred to Assembly Telecommunications and Utilities Committee on 9/23/24 Senate Bill: Introduced, Referred to Senate Community and Urban Affairs Committee on 1/9/24
A5047/S3840	Burzichelli	Requires certain large developments, to be used as retail facility or warehouse, to be designed and constructed to accommodate load associated with solar panels	Assembly Bill: Pending Introduction Senate Bill: Introduced, Referred to Senate Community and Urban Affairs Committee on 10/24/24

S2816	Smith/McKeon	Requires electric public utilities to submit to BPU and implement electric infrastructure improvement plans	Reported from Senate Committee on 3/4/24, Second Reading. Passed by the Senate on 5/20/24. Received in Assembly, and Referred to the Assembly Telecommunications and Utilities Committee on 5/20/24
S3308/A4513	Scutari/Speight	Requires electric public utilities to implement certain improvements to the interconnection process for certain grid supply solar facilities	Assembly Bill – Introduced, Referred to Assembly Telecommunications and Utilities Committee on 10/28/24 Senate Bill – Introduced, Referred to Senate Environment and Energy Committee. Reported from Committee on 6/20/24. Passed by Senate on 10/28/24.
S3464	Smith	Requires electric public utilities to upgrade certain portions of electric transmission and distribution system with advanced conductors	Senate Bill – Introduced, Referred to Senate Environment and Energy Committee on 6/20/24
S3480	Zwicker	Permits municipalities to adopt more stringent site improvement standards for stormwater management related to residential developments	Senate Bill – Introduced, Referred to Senate Community and Urban Affairs Committee on 6/20/24
A4926/S3618	Calabrese, Clinton/Smith, Greinstein	Directs DEP and DOT to establish “Wildlife Corridor Action Plan”; appropriates \$90,000	Assembly Bill – Introduced, Referred to Assembly

			<p>Commerce, Economic Development and Agriculture Committee 10/21/24</p> <p>Senate Bill - Introduced, Referred to Senate Environment and Energy Committee on 9/19/24; Passed by Senate on 10/28/24.</p>
S3656	Testa, Polistina	Requires regional representation for members of BPU	Introduced, Referred to the Senate Economic Growth Committee on 9/26/24