



STATE OF THE pinelands

AN ANNUAL REPORT BY THE PINELANDS PRESERVATION ALLIANCE
WWW.PINELANDSALLIANCE.ORG

2018



The New Jersey Pinelands

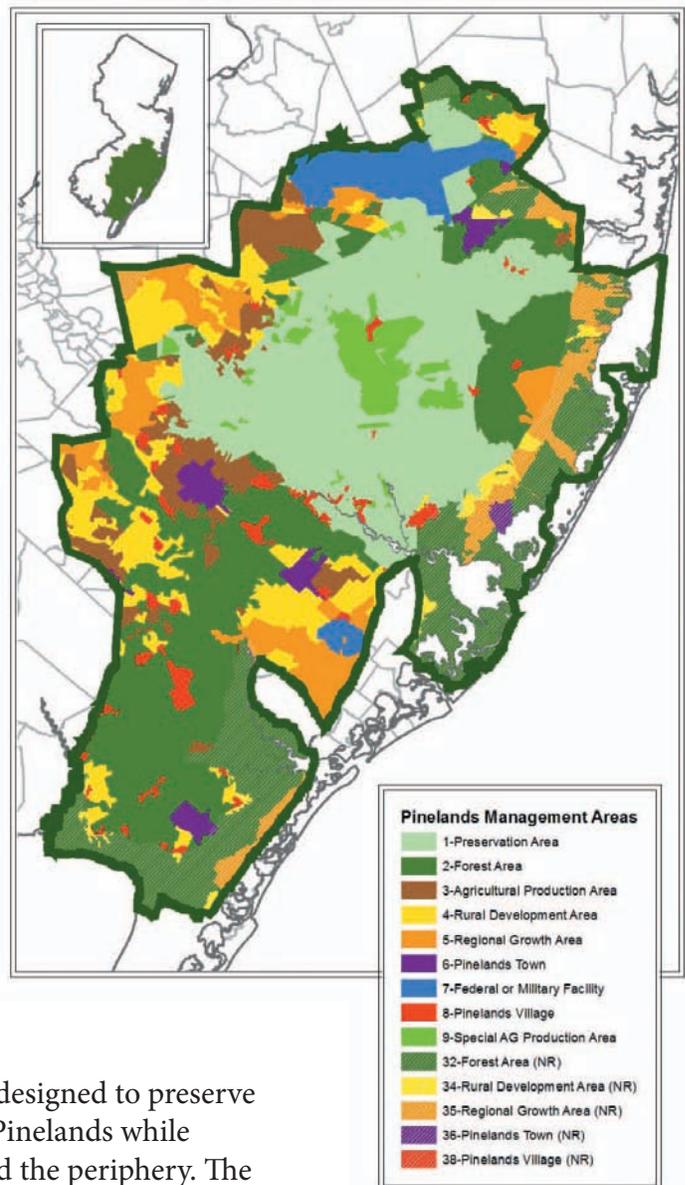
The Pine Barrens is a vast forested area extending across South Jersey's coastal plain. This important region protects the world's largest example of pitch pine barrens on Earth and the globally rare pygmy pine forests. One of the largest fresh water aquifers, the Kirkwood-Cohansey, lies underneath its forests and wetlands. The Pine Barrens is home to many rare species, some of which can now only be found here having been extirpated elsewhere.

During the 1960's construction of the world's largest supersonic jetport and an accompanying city of 250,000 people was proposed for the Pine Barrens. This proposal galvanized citizens, scientists and activists to find a way to permanently protect the Pinelands. In 1978 Congress passed the *National Parks and Recreation Act* which established the Pinelands National Reserve, our country's first. In 1979 New Jersey adopted the *Pinelands Protection Act*. This Act implemented the federal statute, created the Pinelands Commission, and directed the Commission to adopt a Comprehensive Management Plan (CMP) to manage development throughout the region.

Many residents do not know that all new development is controlled by the nation's most innovative regional land use plan. The CMP is designed to preserve the pristine conditions found within the core of the Pinelands while accommodating human use and some growth around the periphery. The Pinelands Commission's staff of approximately 40 professionals is directed by 15 Commissioners who serve voluntarily. Seven Commissioners are appointed by the Governor with approval of the state Senate, seven by the counties in the Pinelands, and one by the U.S. Secretary of the Interior.

The New Jersey Department of Environmental Protection (DEP) also plays a key role in protecting the Pinelands. In addition to its job of implementing the CMP in the coastal zone, the DEP regulates the distribution of fresh water from the aquifers that lie beneath the Pinelands.

The Pineland Commission and DEP's accomplishments in the Pinelands are remarkable. But this region faces an onslaught of threats in the form of unnecessary pipelines, political interference to benefit development projects, and the failure of state agencies to enforce Pinelands rules on a consistent basis. Through public education and advocacy the Pinelands Preservation Alliance works to protect this great wilderness and give the public a voice in its preservation.



State of the Pinelands 2018

The Pinelands Preservation Alliance presents this annual report in order to sum up the health of the Pinelands preservation efforts by our federal, state and local government agencies. We seek to provide the public and the agencies themselves with a report card that we can all use to move forward and do better in protecting this unique natural treasure.

This annual review of select actions or inactions of the last 12 months is the most comprehensive account of public policy actions that affect the Pinelands National Reserve.

We applied six criteria in assessing each action –namely, whether each action:

1. upholds the integrity of the Comprehensive Management Plan (CMP);
2. protects native habitats, for plants and wildlife;
3. safeguards the quality of Pinelands aquifers and surface waters;
4. insures the integrity of the water supply for people and the ecosystem;
5. enhances the cultural and historic resources of the area; and
6. advances education about the Pinelands.

Where a government agency followed its rules and took appropriate action we gave the agency a *thumbs up*. In cases where the agency drifted from its regulatory mandate and took an action that, in our opinion, was detrimental we gave the agency a *thumbs down*.



The Pinelands Preservation Alliance depends on private donations from concerned citizens just like you. You make it possible for us to advocate for the Pinelands each and every day. Thank you for making our work possible!

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Dear Friends of the Pinelands,

The survival of the Pinelands ecosystem depends on evenhanded and consistent implementation of the Comprehensive Management Plan (CMP). This plan is the blueprint for conservation and growth across the 1.1 million-acre Pinelands National Reserve.

Unfortunately, the Pinelands Commission, the state agency charged with protecting the Pinelands, has made a series of decisions that undermine the CMP, has moved to restrict public comment, and has failed to adopt reforms that the Commission itself found are needed for the long-term health of the Pinelands. Here is a summary of poor decisions the Commission has made in recent years:

1. South Jersey Gas (SJG) and New Jersey Natural Gas (NJNG) Pipelines. The Pinelands Commission approved the SJG pipeline in February 2017 and the NJNG pipeline in September 2017 despite CMP rules preventing that kind of infrastructure in Pinelands conservation areas. In these cases, we saw the Commission twist rules in knots to approve projects that violate the terms and the purposes of the CMP through procedures the Commission simply made up for this purpose. Our legal appeals are pending.

2. Trying to approve major developments without a Pinelands Commission vote. The Commission's Executive Director has taken it on herself in several important cases to give approvals without the Commissioners having any role. In November 2016 the Appellate Division of New Jersey Superior Court ruled that the full Pinelands Commission must vote on the South Jersey Gas pipeline, a precedent that should apply to all developments that raise substantial issues of compliance with the rules. Despite the court decision, the Commission staff continues to limit the role of the Commissioners.

3. Deciding that the public's right to appeal, enshrined in every part of the CMP, is unlawful. The public's right to appeal recommendations by the Executive Director to the Commission appears in at least 31 places in the CMP and is the only means the public has to challenge the staff's views in the great majority of cases. This right has been at the heart of the CMP since it was adopted in 1980 and has been approved as legally sound by the Commission and the Attorney General for decades. Despite this, the Commission staff tried to get the Commissioners to formally negate this right in December 2017, but lost that vote. They tried again in June 2018, but public pressure forced them to withdraw the proposal.

4. Restricting public access and comment. Examples include eliminating print notifications of development applications, cutting off public review and comment before applicants filed new information and arguments in favor of their applications, and placing an arbitrary 3-minute limit on public comments for the first time in the Commission's history.

5. Failing to act on vast off-road vehicle (ORV) damage. The CMP forbids motorized recreation on state land except on formally designated public roads. When the Commission finally started designating roads in 2017, it only did so for Wharton State Forest, ignoring Brendan T. Byrne State Forest and all other state conservation lands in the Pinelands, and has done nothing more since.

6. Failing to protect the Kirkwood-Cohansey aquifer. The Commission stated years ago that this is a priority because the aquifer is already over-pumped in many areas. Yet the Commission does nothing to adopt the needed reforms.

The Pinelands needs Commissioners and leadership who understand the CMP, believe in its mission, and uphold it despite political pressure to do otherwise. With your help we will continue to press for better protection of this special place.

Best wishes,



Carleton Montgomery
Executive Director

Brendan T. Byrne (1924 – 2018)

This past January New Jersey lost one of its true environmental leaders with the passing of Brendan T. Byrne at the age of 93. Brendan Byrne was truly the father of the Pinelands. After signing the Pinelands Protection Act in 1979, he never stopped advocating for the Pinelands in the face of all the challenges and threats he saw over the ensuing years. He was an ever-present inspiration to all of us who advocate for the Pinelands.

Brendan Byrne was governor of New Jersey from 1974 to 1982. He is famed for his honesty, charm and humor as well as his many achievements in public life. He brought big changes to the state, including the income tax to fund schools and reduce reliance on property taxes, Atlantic City casinos, and voter registration reforms among others. But the achievement of which he was most proud was the creation of the Pinelands.

Governor Byrne did not invent the idea of protecting the Pinelands through large-scale planning to control growth. Citizens and scientists had been advocating for protection for some years, seeing the destruction of forests, farms and water that sprawling development was bringing to New Jersey. But Byrne became persuaded this was an important cause, partly through his friendship with John McPhee and reading McPhee's seminal book, *The Pine Barrens*. He decided to make this cause his own. As he said a few years ago, "I said to myself, if this is a good thing to do, I should do it." And he did.

In his second term, he brought together all the ideas and energies of other dedicated people, from then-Congressman Jim Florio to thousands of citizen activists, and made their dream a reality. It wasn't easy at all. He had to make clear to his staff and to the legislature that this action was critical to him. There was strong opposition from South Jersey politicians and from landowners who did not want to lose development options for the future.

Byrne never stopped advocating for the Pinelands and he was especially outraged and worried about the South Jersey Gas and New Jersey Natural Gas pipeline developments. He joined former governors Tom Kean, Jim Florio and Christine Todd Whitman in publicly opposing these projects and Governor Christie's efforts to pack the Pinelands Commission with reliable pro-pipeline votes. He joined in a friend of the court brief in PPA's appeal of the Pinelands Commission's approval of the South Jersey Gas pipeline.

If not for Governor Byrne's decision to make protecting the Pinelands one of his primary goals in public life, it is certain we would have lost the vast open spaces we find and value here today. Development would have carved it up, fragmented the forest, polluted the water and driven out much or all of the cranberry farms. He took great pride in the fact that the Pinelands Protection Act has been so successful, and after leaving office, he was not going to stand by while others tried to weaken or undermine that achievement.



Governor Byrne signs the Pinelands Protection Act. Photo Credit: New Jersey State Archives; Department of State

Important: Your Action is Needed

Pinelands Commission Appointments

Governor Murphy now has the opportunity to reappoint or replace all seven (7) commissioners to be chosen by the governor with Senate confirmation under the Pinelands Protection Act. The Governor's appointments play a critical role in ensuring the Commission does its job of protecting the Pinelands. So far, we have seen no indication of whether, when or how the Governor will act. During the past several years the rules intended to protect the Pinelands have been subverted or ignored. We need Governor Murphy to focus on a renewed commitment to protecting the Pinelands.

Action Needed: Contact the Governor and ask that he make conservation-minded appointments to reestablish the integrity of the Pinelands Commission. Office of the Governor, P.O. Box 001, Trenton, NJ 08625 or call (609) 292-6000. You can also send an email to the Governor by going to www.SavetheSource.org/action-steps.

The Governor

Expectations: *The governor should propose and support statewide and regional initiatives that have a positive impact on the Pinelands and its environs. It is imperative that the governor appoint people to the Pinelands Commission who believe in the bedrock environmental mission of the Pinelands. The governor should not use his authority and power to bypass Pinelands protections or make exceptions for special interests.*

New Jersey Highlands Council Appointment

The Pineland Protection Act of 1979 led to the regional conservation and smart growth strategy embodied in the Pinelands Comprehensive Management Plan (CMP). In 2004, New Jersey applied this model of regional planning to an area in northwestern New Jersey known as the Highlands Region, and created the Highlands Council, an independent agency led by 15 appointed members similar to the Pinelands Commission. In May of this year, Governor Murphy appointed Carl Richko, who has served as a member of the Highlands Council since 2010 and has consistently acted to protect the natural resources of the region, to chair the Council. This is a good sign for us in the Pinelands, as PPA, partners and residents press Governor Murphy to make strong conservation appointments to the Pinelands Commission.

Energy Master Plan

In May, Governor Murphy issued Executive Order 28 to direct New Jersey's Energy Master Plan (EMP), a strategic policy that is updated every three years to reflect and guide the scope of the state's energy production and use. For the 2019 EMP, the Murphy administration will lay out a path towards a goal of 100% clean energy by 2050 in order to curtail climate change impacts caused by fossil fuel emissions. Per the executive order, the 2019 Plan will specifically incorporate wind and solar development goals, including 600 megawatts of clean energy storage by 2021 and 2000 mw of storage by 2030.

Regional Greenhouse Gas Initiative

In one of his first actions in office, Governor Murphy signed Executive Order 7 which initiated steps for New Jersey to re-enter the Regional Greenhouse Gas Initiative (RGGI), a multi-state, market-based program to cap carbon dioxide emissions. In 2012, Governor Christie pulled the state out of RGGI, the first mandatory cap-and-trade program in the country. Rejoining nine other northeast states will position New Jersey for greater resiliency to climate change and yield support for energy efficiency and renewable energy programs to benefit consumers. New Jersey is expected to be a participating member by 2020.

Federal Government

Expectations: In 1978 Congress created the Pinelands National Reserve, the country's first Reserve. As provided in the federal law, Governor Brendan T. Byrne established the Pinelands Commission, and a Comprehensive Management Plan (CMP) was prepared and approved by U.S. Secretary of the Interior Cecil D. Andrus on January 16, 1981. The federal government's primary roles in the Pinelands protection effort are to provide a representative on the Commission, to finance public land acquisition and to monitor the implementation of the CMP. At a minimum the federal government should enforce federal environmental laws, vote responsibly on actions before the Commission, support the CMP, and provide the necessary funding for land acquisition through the Land and Water Conservation Fund (LWCF).

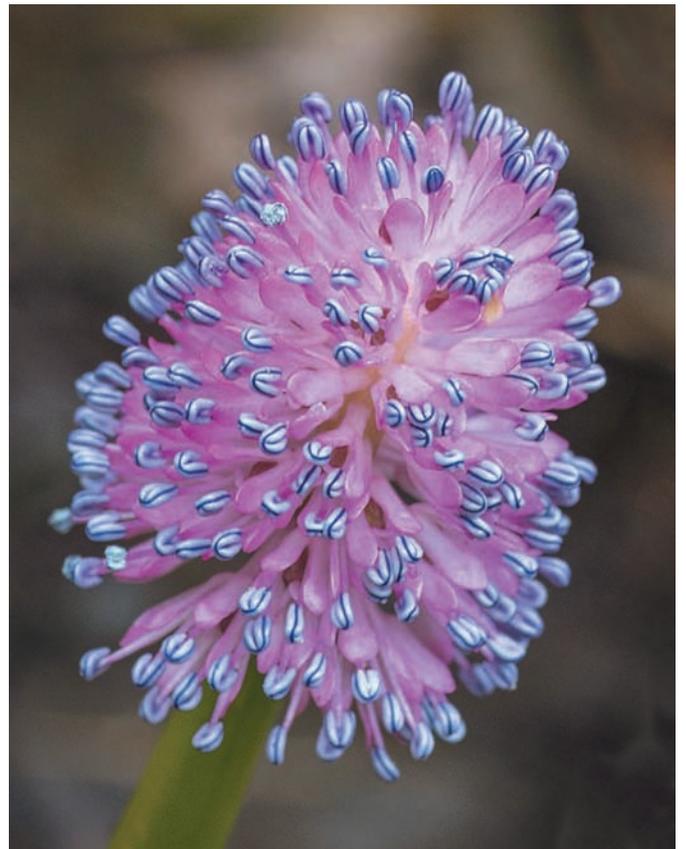
Joint Base MDL & Environmental Protection Agency

Moving at a snail's pace. These are the only words that can describe the pace of progress dealing with perfluorinated compounds (PFC's) contamination within, and flowing out of, Joint Base McGuire-Dix-Lakehurst. These contaminants have been found in drinking water, streams and fish both on the base and offsite. PFC's are a large group of environmentally persistent chemicals used in industrial applications, fire fighting foam, and consumer products. They are very stable, slow to degrade in the environment, and can lead to potential adverse health effects in humans and wildlife. At the base, PFC's are primarily from fire fighting foam used during training exercises and actual fires. The United States Environmental Protection Agency (EPA) and the Joint Base must make it a priority to clean up PFC contaminated sites on the base sooner, rather than later. The base is located entirely in the Pinelands.

U.S. Fish and Wildlife Service



The United States Fish and Wildlife Service (USFWS) has taken steps to protect critical habitat for swamp pink, a federally threatened plant species. The USFWS has awarded the New Jersey Department of Environmental Protection (DEP) \$250,000 from their Cooperative Species Conservation Fund to help acquire land along the Cohansay River confirmed as critical habitat for swamp pink. New Jersey is its primary stronghold, supporting about half of the nation's populations of swamp pink. Protection of this species through acquisition is considered particularly important since most of New Jersey's populations are on private land. Numerous ecologically sensitive species such as the bog turtle and bog asphodel, a yellow-flowering plant now believed to exist only in New Jersey's Pinelands, typically share habitat favored by swamp pink. As a result of the grant, the DEP's Green Acres Program will initiate negotiations with property owners and will provide additional funds for the purchases.



Swamp Pink © Amy Golden

The President & Congress - Land and Water Conservation Fund

The Land and Water Conservation Fund (LWCF) is money set aside to acquire land that enhances protection of valuable natural resources. The money comes from revenue collected from offshore drilling and not taxpayer dollars. This important federal program expired on September 30th, despite widespread bipartisan support in both the House and Senate. That means one of the most successful conservation and recreation programs in our nation's history now sits idle. Hopefully, the President and Congress will approve legislation before the end of the year.

Delaware River Basin Restoration Funding

Created by the Delaware River Basin Conservation Act in December 2016, the Delaware River Basin Restoration Program (DRBRP) is a non-regulatory program administered by the U.S. Fish and Wildlife Service that provides funding and technical assistance to on-the-ground projects taking place within the Delaware River Basin (PA, NJ, NY, and DE). The DRBRP allows local governments and nonprofits to apply for assistance on projects that conserve and restore fish and wildlife habitat, improve and maintain water quality, sustain and enhance water management and reduce flood damage, and improve recreational opportunities and public access. This year Congress approved \$5 million for the program for the first time since its passage which is a great step towards protecting habitat in and around the Delaware River.

LOOKING TO VOLUNTEER IN THE PINE BARRENS?

Contact stewardship coordinator Jason Howell (Jason@PinelandsAlliance.org) to get involved. Volunteers help to restore damaged areas, protect the forest from ORV abuse, clean up trash and assist with monitoring projects.

Court System

Expectations: *The judicial system is the branch of government responsible for interpretation and application of the law. This includes environmental laws and the Pinelands Protection Act as well. Laws are implemented through regulations. Environmental laws and regulations are routinely a source of controversy; the root causes typically being the interpretation of their necessity, fairness or cost. The long-term integrity of the Pinelands and its resources depends on the strict interpretation of its laws and regulations. The judiciary should uphold the spirit and the letter of the law.*

Appeals Court

New Jersey Natural Gas Ruling

In September, a victory was handed to Bordentown, Chesterfield and PPA by the U.S. 3rd Circuit Court of Appeals regarding the Transco Garden State Expansion compressor station, which would connect to the Southern Reliability Link pipeline proposed by New Jersey Natural Gas. The ruling stated that the New Jersey Department of Environmental Protection (DEP) wrongly denied an evidentiary hearing on wetlands and other permits for the project. This decision set a precedent moving forward that the federal Natural Gas Act does not preempt state environmental permitting processes. Now the DEP, under a new Commissioner, should grant the petitioners a hearing on the permits for this project. The compressor station, which was completed while the appeal was still pending, was built at Transco's own risk, and could be altered or dismantled if Bordentown, Chesterfield and PPA ultimately demonstrate that the permits should not have been issued for the facility.

Tuckahoe Turf Farm Appeals Court Decision

PPA and the New Jersey Conservation Foundation (NJCF) appealed a Pinelands Commission decision to allow Tuckahoe Turf Farm (TTF) to host large-scale

soccer tournaments on conservation easement land in the Agricultural Production Area of the Pinelands. In order to bring TTF into compliance, legislation was passed to retroactively change the definition of “low intensity recreation” in the Pinelands regulations, but the statute was expressly written to avoid trying to change the meaning of the conservation easements for which TTF had been paid in the past. Nevertheless, the Appeals Court ruled – without any discussion or justification – that the legislation did retroactively change the preexisting easement to allow previously forbidden uses of preserved land, setting a terrible precedent for all the conservation restrictions for which the public has paid billions of dollars to landowners. PPA and NJCF are asking the New Jersey Supreme Court to review this decision because of the fundamental threat it poses to conservation lands.

New Jersey Department of Environmental Protection

Expectations: *The DEP is responsible for protecting the state’s environmental resources. It does this by developing and enforcing regulations that protect water quality, threatened and endangered species, and air quality; by overseeing state parks and wildlife management areas; by ensuring that there is enough water for both people and environmental needs; and by setting standards for contaminated site cleanup. Since there is significant overlap with Pinelands regulations, it is imperative that the DEP develops programs and enforces rules that are protective of the Pinelands.*

Enhanced Drinking Water Standards

This year New Jersey became the first state to regulate a chemical that has been linked to cancer and other illnesses, but which is not regulated by the federal government. The New Jersey Department of Environmental Protection (DEP) formally adopted a plan to set a “maximum contaminant limit” (MCL) for perfluorononanoic acid (PFNA) in drinking water. PFNA, which was used in stain repellents, textile coatings and

fire-fighting foams is linked to cancer in humans and to reproductive and developmental problems in animals. PFNA is highly soluble and mobile in groundwater and was documented in and around Joint Base-McGuire-Dix-Lakehurst in Burlington and Ocean County. Water companies will now be required to comply with the new limit of 13 parts per trillion. The new measure is a positive step in protecting the three million residents of the state that rely on groundwater as a drinking water source.

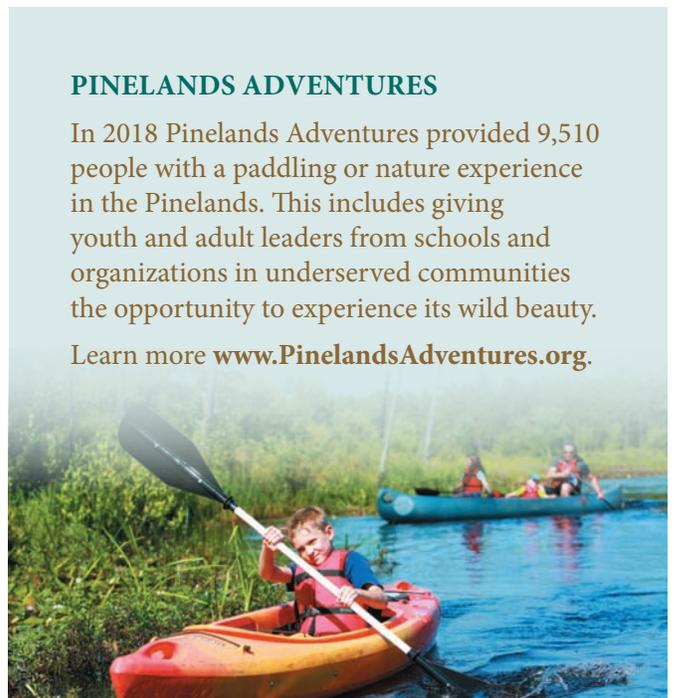
Wharton State Forest ORV Damage Mitigation

During this past year, progress has been made in reducing damage caused by off road vehicles (ORVs). This year the DEP has embraced and greatly expanded the use of volunteers for stewardship projects. Through a combination of cultural shifts and on-the-ground stewardship projects creating physical barriers, we have seen a small reduction in ORV damage. Now the DEP needs to develop a plan to resolve the contentious issue of ORV damage and implement the Pinelands Commission resolution PC-4-17-30 titled *Designate Existing Roads within Wharton State Forest that are Appropriate for Recreational Use by Motor Vehicles*.

PINELANDS ADVENTURES

In 2018 Pinelands Adventures provided 9,510 people with a paddling or nature experience in the Pinelands. This includes giving youth and adult leaders from schools and organizations in underserved communities the opportunity to experience its wild beauty.

Learn more www.PinelandsAdventures.org.



Heritage Minerals Development

In a victory for the Pinelands and Barnegat Bay, the DEP denied a massive development application for the Heritage Minerals site in Manchester Township, Ocean County. Hovsons, Inc. had applied for permits to build 3,682 housing units and 40,000 square feet of commercial space on 930 acres in the Pinelands National Reserve and watershed of Barnegat Bay. The key environmental protections that DEP found would be violated by the development are water quality, ground water recharge, air quality, and threatened and endangered wildlife and plant protections. We were able to notify residents and nearly 250 attended and/or spoke during DEP's public hearing on this application. We submitted comments to the DEP urging denial of the projects. PPA has been advocating successfully on this issue for the last 30 years.

Pinelands Commission

***Expectations:** A Commission whose members, although of diverse viewpoints, have a shared commitment to the purposes of the Pinelands Comprehensive Management Plan (CMP), the courage to debate tough issues at meetings, and a respect for public process. This means being prepared to engage in discussion on agenda items, asking pointed and relevant questions of Commission staff, and always voting to protect the Pinelands' unique natural resources.*

By statute, the Pinelands Commission has fifteen commissioners who make up the governing body of the agency: seven appointed by the Governor; one appointed by each of the seven Pinelands counties; and one person appointed by the U.S. Secretary of the Interior. The gubernatorial appointees are subject to the review and consent of the New Jersey Senate. Members of the Commission serve staggered three-year terms. The commissioners have final say with regards to all activities regulated by the CMP and, through the Executive Director, guide a staff of approximately 40 people.

*The Commission today consists of the following fifteen members: **U.S. Secretary of the Interior's Appointee:** Vacant. **Gubernatorial Appointees:** Mark Lohbauer, Candace Ashmun, D'Arcy Rohan Green, Robert Barr, Edward Lloyd, Richard Prickett, and Gary Quinn. **County Appointees:** Paul Galletta (Vice-Chair, Atlantic), Jordan*

Howell, Ph.D. (Camden), William Pikolycky (Cape May), Jane Jannarone (Cumberland), Giuseppe (Joe) Chila (Gloucester), Alan Avery, Jr. (Ocean), and Sean Earlen (Chair, Burlington). The Executive Director is Nancy Wittenberg who reports to the commissioners.

Water Resources Protection

The Commission continues to delay proposing amendments to the CMP to address the growing concerns of over-exploitation of the shallow Kirkwood-Cohansey aquifer. Since the inception of the CMP it was recognized that surface water withdraws and ground water withdraws from the shallow aquifer can have harmful impacts on the unique Pinelands ecosystem. In 1984 the Commission assembled a team of experts to discuss the impacts of groundwater withdrawals and as a result recommended the \$5.5 million Kirkwood-Cohansey aquifer study which was completed in 2012. The study confirmed what many had suspected, that the ecosystem is extremely sensitive to groundwater pumping. The state water supply plan released in 2017 also confirmed that Pinelands watersheds are being stressed and are suffering ecological harm. Despite the findings of the Commission's study and the state's water supply plan, the Commission has not proposed any protective measures to date.

NATIVE PINELANDS PLANT SALE 2019

We hold a native plant sale every April where plants native to the Pine Barrens and South Jersey are offered for sale. Only PPA members are invited to the pre-sale on Friday, April 26th from 3pm to 6pm. The public is welcome on April 27th from 11am to 2pm.

Learn more www.PinelandsAlliance.org.



The pine barrens gentian can be found on roadsides in the Pinelands. © Eric Vizzi

Roadside Best Management Practices

The Pinelands Commission has renewed its efforts to promote best management practices (BMP's) for roadsides with county public work officials and workers. There are approximately 11,000 acres of roadsides in the Pinelands that can serve as early successional habitat if maintained properly. BMP's for these areas include limiting mowing to just eight feet from the road shoulder, mowing no lower than 6 inches and limiting any mowing beyond the eight foot safety zone to the dormant season. The Commission has also worked with the Partnerships for New Jersey Plant Conservation to verify occurrences of rare plants along roadsides to ensure that rare species data is kept up to date and that management practices are altered where appropriate. Lack of early successional habitat is a cause of decline for many of our rare Pineland plant species and as a result, many are found on our roadsides. Continued efforts by the Commission and county workers to follow best management practices can ensure that roadsides continue to be habitat for Pine Barrens native flora.

Mining Expansion

This past year, two major mining expansion applications reached the Pinelands Commission, a 40-acre expansion in Lacey Township and a 132-acre expansion at the Woodmansie mine. Major concerns about both applications have been left unanswered by both the applicant and the Pinelands Commission. In the case of the Lacey mine, rare species surveys cannot confidently conclude no adverse impacts from this expansion due to poor sampling methodology, and the fact that sampling was not done in appropriate habitat and during times when target species are active. Furthermore, surveys in 1996 from this site's previous expansion called for the protection of critical northern pine snake habitat that is now the target of expansion. This domino effect of expanding into once critical habitat that has been degraded by surrounding resource extraction is continuing with this most recent proposal. This trend will likely continue into the future as the deed restriction on the parts of the property not subject to expansion is written to be reversed with rare species surveys in the future. The Woodmansie mine had similarly lacking rare species surveys with flawed methodology. Past mining areas at the Woodmansie site have not been restored which is a listed requirement needed before any expansion can occur.



Lacey Sand Mine

Black Run Watershed

More than fifteen years ago, the Pinelands Commission identified the Black Run Watershed in Evesham Township as an extraordinary resource worthy of greater protection. The watershed exhibits pristine water quality and intact habitats despite lying at the very edge of the Pinelands. The interior of the watershed is conserved as part of the 1,300-acre township-owned Black Run Preserve. The headwaters for the Black Run Watershed are not adequately protected from development. The Commission's 2014 plan review report recommended that the CMP be amended to change the management area designation for the headwaters area from Rural Development to Forest Management Area. This would reduce the amount of permitted development and better protect water quality. To date the Commission has taken no action to protect this unique area.



© Ellen Bonacarti

Pinelands Science Report

This year the Pinelands Commission released a comprehensive report prepared by their science staff on the vulnerability of natural and excavated ponds within the Pinelands. The report, *Vulnerability and Comparability of Natural and Created Wetlands*, identified and mapped 5,850 natural ponds, excavated ponds, and stormwater basins in the Pinelands area. The results showed that both natural and excavated ponds can exhibit high ecological integrity and display characteristic Pinelands water quality. Unfortunately, the findings also point out that damage from off-road vehicles has occurred at 117 ponds out of 847 visited and surveyed, or fully 14%. In fact, on-the-ground surveys found that 87% of ponds accessible by a trail or road have been damaged by vehicles and 39% of those are considered to be extensively damaged.



Pinelands Educational Programs

Since its inception, the Pinelands Short Course has provided a wonderful opportunity for people to learn more about the unique natural, historic and cultural aspects of the Pine Barrens. The 29th Annual Short Course cosponsored with Stockton University in Atlantic County featured 29 new presentations. This annual event is still a reliable thumbs-up for the Commission. Also, this past year the Commission held its 2nd Summer Short Course which featured field trips and a day of educational programs about the region's history, ecology and culture.

PINELANDS WATCH NETWORK

Pinelands Watch is an activist network run by PPA. The goal is to help those who are concerned about conservation issues in the Pinelands to get involved and make a difference. Through this program citizens keep up to date on important issues and learn how to advocate for Pinelands protections.

To join the Pinelands Watch Network and get updates on important actions contact Rhyan at RhyanG@PinelandsAlliance.org.

State Legislature

Expectations: *The principle function of the State Legislature is to enact laws for the benefit and protection of New Jersey. At a minimum, legislators should not sponsor bills that undermine the intent of the CMP, and at best will sponsor legislation that actually protects and enhances environmental richness and diversity in New Jersey and the Pinelands.*

Prescribed Burn Legislation

Fire plays a critical ecological role in the Pinelands. The plants that are found here have adapted to survive in the Pinelands' highly acidic, nutrient poor and fire-prone conditions. Wildfires were common, especially during the summer months, before modern human cultures began suppressing them. After more than a decade of work, the New Jersey Prescribed Burning Act is official. Governor Murphy signed the Act into law which will allow more prescribed burning including ecological burns and allow organizations to get insurance coverage for prescribed burns. Fire creates habitat diversity in the Pinelands and has historically been suppressed in the state for years. The New Jersey Department of Environmental Protection is already preparing to develop guidelines for landowners under the new law. A special thanks to Senator James Beach and Assemblyman Ron Dancer for making this happen.



A prescribed burn of the native grassland on Pinelands Preservation Alliance property this year.

Stormwater Utilities

The State Senate advanced a bill (S1073/A2694) that would allow, but not require, municipalities and counties to establish stormwater utilities to fund stormwater management. Rain runoff has long been considered a serious water-pollution problem. It also increases the likelihood of flooding in a state that is fast becoming paved over with asphalt and concrete. Currently there are more than 1,600 stormwater utilities set up in 40 states to help local governments deal with the problem. Assuming that the Legislature passes, and Governor Murphy signs legislation authorizing stormwater utilities, this would be a huge win for improving water quality and reducing flooding.

Local Government

Expectations: *There are 56 municipalities that are entirely or partly within the Pinelands National Reserve. The Pinelands Protection Act envisioned that local governments would be primarily responsible for implementing the CMP. While some things are mandatory such as density requirements, municipalities were given flexibility with implementation of resource management goals of the CMP as they revise their land use regulations. PPA therefore expects municipalities to propose ordinances and master plans consistent with the conservation goals of the CMP.*

Hammonton Health Coalition

This coalition of the township mayor and council, the school district, local businesses, healthcare providers and community activists, including PPA, has come together to improve the health and well-being of all Hammonton residents. One of our first projects is to strengthen the “culture of inclusion” in town to ensure that Latinos and other minority communities can participate fully in Hammonton’s many civic activities and services. PPA is excited to be part of this effort

because the coalition members agree that nature recreation and volunteer stewardship activities are great ways to promote physical and mental health, alleviate the impact of traumatic experiences, and build a strong sense of community.



Hammonton students help PPA with a stewardship project.

County Government

Expectations: *In New Jersey, county governments provide essential services such as road and bridge maintenance, wastewater planning, recycling, parks and recreation, social services, and other functions. We expect county governments to implement programs and plan for the future in a manner consistent with the Pinelands Comprehensive Management Plan (CMP).*

Ocean County Freeholders

Based on the recommendation of the Ocean County Natural Lands Trust Fund Advisory Committee, the freeholders are moving ahead to purchase 7,860 acres for open space in what is referred to as the Forked River Mountains. The tract of land which straddles Lacey and Ocean townships and is surrounded by publicly owned land will be purchased for \$15,450,000 from the county's dedicated open space tax. The site was identified by

the Trust for Public Lands in their "Century Plan" as important and is the last significant tract left of the 21,000 acre Forked River Mountains Century Plan site. The pristine landscape provides an array of habitat types for many rare, threatened and endangered plant and wildlife species. This land purchase will be the largest since the county natural lands fund began in 1997.

Educational Institutions

Raritan Valley Community College

Since 2016, PPA and Raritan Valley Community College have worked to help state and local beaches create back beach buffers that allow plants to revegetate the area, provide habitat for rare plants and animals and begin the process of building new dunes. State park officials, management crews and those with vehicular access to beaches received information regarding the importance of these back beach areas and how changes in behavior and management regime can protect this habitat. So far, 17 miles of beach have been marked with signage and fencing. This represents approximately 12% of the New Jersey shoreline that serves as documented habitat for several rare species such as piping plovers, oystercatchers, seabeach amaranth and seabeach evening primrose. Approximately 17,000 people have been reached through presentations and newsletter



Piping Plover (Charadrius melodus)

distribution, with the potential for several thousand more reached through beach signage and the media. This project was originally funded by the New Jersey Sea Grant Consortium. The project will continue in 2019 with funding from the National Fish and Wildlife Foundation.

Non Governmental Organizations

Land Preservation - Team Effort

A former cranberry farm in Burlington County, owned by the same family since the Civil War, has been permanently preserved as open space, protecting clean water and the wildlife it supports. The New Jersey Conservation Foundation (NJCF) purchased the 442-acre parcel in Woodland and Southampton townships for \$560,000. The property was purchased with funding from the Pinelands Commission, New Jersey Green Acres Program, Rancocas Conservancy, Open Space Institute, William Penn Foundation, U.S. Fish & Wildlife Service, Victoria Foundation and The Nature Conservancy.

The property includes 5.5 miles of streams, including the pristine Burrs Mill Brook, a tributary of the Rancocas Creek. The land will be open to the public for passive recreation, including hiking, birding and nature observation. The existing sand roads offer stunning views of wetland habitats and will form the basis of a future trail system. The land will be managed as part of NJCF's Michael Huber Prairie Warbler Preserve.

Land Stewardship

This year a number of organizations have come together to tackle the problem of ORV damage.

They include the New Jersey Conservation Foundation and Herpatological Associates, along with The Nature Conservancy, New Jersey Audubon, South Jersey Land and Water Trust, Outdoor Club of South Jersey (Batona Trail Crew) and PPA. Wharton State Forest has seen the

most progress. In other areas of the Pines, land is being returned to nature with on-the-ground stewardship work by these organizations and concerned individuals. The Pinelands Commission science staff surveyed ponds in the Pinelands for damage from ORV activity. The survey identified 58 ponds deserving of immediate physical protections. Stewardship work in the Pinelands is far from over.



Volunteers work to plant hundreds of trees at the Candace Ashmun Preserve

Individuals Who Made a Difference

Teachers and Students at Olson Middle School

Brittany Murro worked with her fellow teachers and over 100 students at Olson Middle School in Tabernacle to improve water quality not only for today but the future as well. Working with the Rutgers Cooperative Extension Water Resources Program and PPA, bioswales were installed in front of the school. Additionally, the district installed a rain garden at the

Tabernacle Elementary School's courtyard. Bioswales are a form of green stormwater infrastructure. Green infrastructure uses natural systems like native plants to take stormwater runoff from the surrounding area and allow it to infiltrate into the ground rather than run off downstream. By capturing stormwater from the roof, concrete, turf and asphalt the natural water cycle is restored. The bioswales recharge the aquifer through infiltration, decrease the school's use of fertilizer, pesticides, and herbicides by using native plants, and reduce the risk of flooding downstream. The project was a simple retrofit of existing stormwater infrastructure by removing the turf grass from swales, and planting native plants in its place. Students participated from start to finish and learned about watersheds, green stormwater infrastructure, and non-point source pollution. The project will provide environmental benefits and was a great way to get students and teachers involved with environmental stewardship and water conservation.

A special thank you to this issue's contributing photographers!

(Many of whom are winners in our 2018 juried exhibition!)

Dick Gouldey	Cover, upper left
Ellen Bonacarti	Page 10
Ernest Cozens	Cover, lower left
Thomas Dolan	Page 1
Robert Ferguson II	Cover, lower right & Page 15, bottom
Amy Golden	Page 5
Michael Neuhaus	Back cover
Lily Smith	Cover, upper right
Eric Vizzi	Page 9, top

Pinelands Juried Exhibition 2018 Awards

The Pinelands Preservation Alliance worked with a volunteer committee composed of professional and amateur photographers to host our second annual juried photography exhibit focused on the Pinelands National Reserve. Our hope is that this exhibit exposes people to this lovely and under-appreciated part of our state and will inspire exploration and action on its behalf.

OPEN EXHIBITION AWARDS

1st Place	<i>On a Morning Walk</i> by Dennis Abriola
2nd Place	<i>Cranberry Girl</i> by Deborah Mix
3rd Place	<i>Pinelands Autumn</i> by John Giatropoulos

Honorable Mentions

<i>Gentian Bud</i> by Mike Neuhaus
<i>Fog Bow</i> by Mike Neuhaus
<i>Sky Bubbles</i> by Greg Bullough
<i>Swamp Pink</i> by Amy Golden
<i>Pine Barrens Tree Frog on Pitcher Plant</i> by Robert Ferguson II
<i>Sunrise in the Pinelands</i> by Thomas Dolan
<i>Wetlands Fractals</i> by Christopher Smith
<i>Bullfrog Eating Leopard Frog</i> by Gregory Fischer
<i>Queen of Bald Eagle Reservoir</i> by Ellen Bonacarti

Executive Director's Honorable Mention

<i>Northern Pine Snake Tongue Flick</i> by Robert Ferguson II

STUDENT EXHIBITION AWARDS

1st Place	<i>Mill Lake Reflection</i> by Lily Smith
2nd Place	<i>Bass River Forest with Flare</i> by Audrey Seals

Honorable Mentions

<i>Sun Through Trees</i> by Nico DiPinto
<i>Leaf On Moss</i> by Audrey Seals
<i>Evening Glow</i> by Colin Reilly
<i>Twilight</i> by Colin Reilly



The Pinelands Preservation Alliance will turn 30 years old this summer! Celebrate with us in 2019 as we hold a series of special programs and events. Thank you for making our work possible!



The Pinelands Preservation Alliance (PPA) works 365 days a year to protect the land, water, plants and wildlife of New Jersey's Pinelands. We have unparalleled expertise in Pinelands laws and regulations. This expertise allows us to engage thousands of people each year in actions to protect the wildest place in New Jersey. These accomplishments are funded by generous donors like you. Here is a small sample of our work in 2018. Learn more at www.PinelandsAlliance.org.

Protecting the Pinelands for 30 Years

1989

HIGHLIGHTS OF OUR WORK IN 2018

2018

Outreach



INCREASING WILDERNESS ACCESS

In 2018 Pinelands Adventures provided more than 9,510 people with a wilderness experience in the Pinelands (up over 1,500 from last year). It is critical that we also provide affordable programs to youth from distressed communities. In June children with Impact Charity Services, who were living in a shelter, took a trip with us and their staff said *"One of our children remarked how she felt so much peace while out canoeing and how it was the first time she felt really happy in a long time."* That experience is made possible by our supporters. Thank you.

Science



DUNES ARE CRITICAL

Since 2016, PPA and Raritan Valley Community College have helped create back beach buffers on state and local beaches. These protected areas provide habitat for rare plants and animals and begin the natural process of building new dunes. By the end of 2018 we will have helped mark 17 miles of beach with signage and fencing, which is about 12% of the New Jersey shoreline. This project has already led to the reappearance of the federally threatened plant, seabeach amaranth and piping plovers nested successfully at Island Beach State Park for the first time in 20 years! The project will continue in 2019.

Stewardship



VOLUNTEERS PROTECT THE PINES

In 2018, 160 PPA volunteers spent 1,014 hours removing 436 tons of trash and caring for natural areas. One project was to help organize volunteers to plant 1,000 trees at the Candace McKee Ashmun Preserve. This was a joint project between The Nature Conservancy of New Jersey, the New Jersey Conservation Foundation, the NJ DEP's Watershed Ambassador Program and the PPA. The Preserve, owned by NJCF, contains prime habitat for rare species and serves as the headwaters for the Middle Branch of the Forked River. Rare species are already returning to this preserve following this project.

Advocacy



PROTECTING ENDANGERED SPECIES HABITAT

Our opposition led Jaylin Holdings LLC to withdraw its application for a 140,000 sq foot development on a 43-acre site in the Pinelands in Ocean County in 2018. The forest found here provides habitat for northern pine snakes and Pine Barrens treefrogs and filters the water that empties into Barnegat Bay. During the 14 years since Jaylin first applied for a permit, PPA has twice filed appeals of NJ Department of Environmental Protection (DEP) decisions. PPA and our partners provided information to DEP to support classifying the wetlands on site as exceptional resource value, and DEP took our advice. We are grateful for the sustained activism of the residents in this community and are proud to support them.



PINELANDS
PRESERVATION
ALLIANCE

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Southampton, NJ 08088



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Organization
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Philadelphia, PA
Permit #164

The 2018 *State of the Pinelands Report* was released to our members and the public in January 2019.

Address Service Requested

The Pinelands Preservation Alliance

The Pinelands Preservation Alliance is the public's leading voice for protecting the water, forests, plants and wildlife of the Pinelands. Founded in 1989, PPA has championed the effort to protect the Pinelands by:

- Fighting bad policies and developments
- Taking legal action when necessary
- Promoting smart growth to help existing communities thrive
- Getting people involved so they can add their voice to the cause
- Taking people of all ages into the Pine Barrens to discover its wonders.

Our members are the most important source of support for the preservation of the New Jersey Pinelands. Members receive a yearly subscription to our newsletter, discounts on Pinelands Adventures field trips, rentals and merchandise, and invitations to members' only events. To join call us at 609-859-8860 or visit us on the web at www.PinelandsAlliance.org or www.PinelandsAdventures.org

