

I N S I D E T H E P I N E L A N D S

FEBRUARY/MARCH 2005

A Report by the Pinelands Preservation Alliance

VOLUME 12, NUMBER 3

THREATENED & ENDANGERED SPECIES POLICY NEEDS OVERHAUL



Photo: PPA

Bog Asphodel (State Status: Endangered; Globally Rare) along the Mullica River

by Russell Juelg

The Pinelands' many threatened and endangered (T&E) species of plants and animals are one of the region's most important environmental assets. They represent one of the principal reasons we protect the surviving natural places here. PPA and the Pinelands Commission agree that comprehensive protection of T&E species habitats will never be accomplished on a site-by-site basis. Protection depends, ultimately, on long-term sub-regional planning—that is, reviewing the Management Area designations ("zoning") in important natural areas that are not already well-protected, and changing the Plan if necessary.

At the same time, the Commission is explicitly required by its regulations and sound policy to deny any development proposal "unless it is designed to avoid irreversible adverse impacts on habitats that are critical to the survival of any local populations" of any T&E wildlife species (CMP 7:50-6.33). Similar language applies to the protected plant species. The Commission and the Department of Environmental Protection have struggled to make these rules work in a consistent, effective manner across the Pinelands National Reserve.

PPA's review of development applications, and consultation with local biologists, turns up a set of problems, and prompts us to recommend some reforms.

Problem 1: It is impossible for Commission development review staff to protect T&E habitats on land slated for development, if they're unaware such habitats exist. Correspondence between the Commission and developers indicates that the Commission has been relying, at least in part, on documents from the NJ Natural Heritage Program and the state's Endangered and Nongame Species Program when it generates its target list—the list of rare species that the developer must search for as part of the development application process. But databases simply yield an inadequate picture of what may be "out there."

First, T&E populations have to be noticed by someone before they have a chance of getting into a database. Even species such as Pine Barrens Treefrogs, which regularly provide audible evidence of their presence, go undetected unless someone who cares about them happens to be at the right place at the right time. The Pinelands is big, and hardly any of it has been thoroughly surveyed for all T&E plants and animals.

Secondly, those populations that are noticed have to get reported, and even people who care about rare flora and fauna often fail to report what they see or hear. Some people aren't aware

continued on page three

KELLOGG CHALLENGE GRANT

by Traci Connaughton



The Pinelands Preservation Alliance is very lucky to be surrounded by many giving individuals. Because of the generosity of our donors, we are able to keep working for the Pinelands and all who cherish it.

We are pleased to report that PPA was recently presented with an exciting challenge: Peter Kellogg of Short Hills, NJ will donate \$100,000 to our endowment if, and only if, PPA can win an additional \$100,000 in new support from other donors who give \$1,000 or more annually.

To win this challenge, PPA will have to raise the additional \$100,000 in support by December 2006. This will be a difficult challenge for PPA, but if we can meet it, PPA will emerge a much stronger, more secure organization.

To succeed, we need help from all those who believe in the Pinelands and are able to donate at this level. If you or anyone you know might be able to participate, please get in touch!

We at PPA are not only excited about these new developments, but also grateful for Mr. Kellogg's generosity. It is gifts like these that change the capacity and future of our organization—making us much more capable of protecting the Pinelands. To find out how to help us meet this exciting day in, day out challenge, please contact Traci Connaughton at (609) 859-8860 x21.



Snow covered hummocks in the Pinelands

16TH ANNUAL PINELANDS SHORT COURSE

**Saturday, March 5
8:30 am - 2:50 pm**

**Burlington County College, Parker
Center, Pemberton**

Featuring 19 presentations, including 2 field trips. New presentations include "Pinelands Photography" and "The Revolutionary War in the Pinelands".

Go to:

www.state.nj.us/pinelands/short-course05.pdf

for an agenda and registration form.

PPA PRESENTATIONS

Upcoming *The Pine Barrens* film and discussion programs include:

**February 16 (7pm) - Bridgeton
Public Library**

**February 23 (7pm) - Mullica Hill
Library**

**March 21 (7pm) - Voorhees Public
Library**

Please contact PPA at 609 859-8860 for more information or to schedule a presentation in your community.

INSIDE THE PINELANDS

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Our newsletter is available online at:

www.pinelandsalliance.org

of the need to report seeing a Bobcat, a Cooper's Hawk, or a Pine Snake, or they may not know the proper process to follow.

Thirdly, rare species that do get reported don't necessarily get entered into an official state database, because state biologists do not accept all reports. A citizen report about Little Ladies'-tresses, for example, may lack details essential to convince a biologist that the person made a correct ID.

Fourthly, even when a sighting results in an accepted report, data entry can be significantly delayed. Large numbers of accepted rare plant reports remain un-digitized, due to resource shortages at the state's Heritage Program. Only reports of the most critically imperiled species (usually ranked S1 or SH) get processed.

What's the solution? The target T&E species lists should be *habitat*-generated, not database-generated. Every development proposed in a natural area, regardless of size, has potential to adversely impact populations of T&E species. In every case, the Commission needs to generate a comprehensive list of T&E species that may be expected in the respective habitats, rather than rely on inadequate prior evidence.

The Commission should require the developer to list all the vegetation communities that are liable to be affected by a proposed development, and then generate a list of all potential T&E species that use these habitats. Heritage and other reports and mapping should be merely supplementary. Next, the Commission should make sure truly reliable surveys are conducted.

This approach would be practical with a simple database. The database would hold the names of all the vegetation communities known to occur in the Pinelands, and the names of every legally protected species that may have critical habitat within the Pinelands. The species names would be linked to any vegetation communities upon which they are dependent.

Problem 2. The Commission tends to take what little data it may gather, and negotiate with the developer over whether to look for more, or whether to change the development plan. Rarely if ever does the Commission actually map the “habitats critical to the survival” of local T&E species *before* it begins negotiating. Instead, PPA advocates that critical habitats be mapped before dickering with the developer.

Problem 3. The Commission and DEP still don't have survey protocols—methodologies for determining presence or absence—for all the T&E species of the Pinelands. PPA continues to insist that survey methods need to be spelled out for every T&E species in order to increase the chance of getting reliable reports from developers.

Problem 4. The Commission and DEP biologists and planners still don't have clear, objective guidelines on how to protect critical habitats for each T&E species. In order for reliable survey work and critical habitat mapping to be useful, we must know what impacts are acceptable and what impacts are not. Only then can developments be properly located, scaled, designed, and built.

Problem 5. Advance planning and zoning is the best, but not the perfect tool for protecting T&E species. Broad scale review of landscape integrity and sub-regional planning will not capture all the T&E critical habitats that exist in developable areas. As with the original CMP, we make decisions today based on what we know today, and our knowledge is never complete or perfect. In addition, all private land in the Pinelands is vulnerable to development, so even in the zones most protected by the CMP the Commission has to protect T&E habitat when those smaller development applications come in. Landscape integrity study and sub-regional planning are extremely valuable, but they should be done in addition to, not instead of rigorous individual project review.

PPA believes the Commission and DEP are obligated to protect all populations of all T&E species threatened by any development proposals anywhere in the Pinelands National Reserve. We look forward to an ongoing dialog with the public, the Commission, and DEP on ways we can improve development review and other policies directed to this goal.

For more information, contact Russell Juelg at 609 859-8860 x23.

LETTERS TO THE EDITOR

We would like to hear from you! Please send your comments about articles found in this issue of *Inside the Pinelands* to:

**PPA, 17 Pemberton Road,
Southampton, NJ 08088, Attn: Editor**

or

mikeh@pinelandsalliance.org



the Pinelands:

HITS! *The past year was filled with a variety of positive news and events concerning*

Highlands Protection: Last summer New Jersey adopted the Highlands Water Protection and Planning Act, only the second regional land use planning law in New Jersey, after the Pinelands Protection Act of 1979. Like the Pinelands Act, the Highlands Act draws a boundary around a core area that will be protected from intensive development, while permitting growth in a broader planning area around the core. This move is not only great for the Highlands, but should strengthen our Pinelands efforts and help make environmentally-based development controls more the norm than the exception in New Jersey.



Schwalbea americana, American Chaffseed, S1, G2, state and federally listed as endangered. New Jersey's sites have shrunk from twelve to a single spot in the Pinelands. Drawing by Elayne Leighton.

PPA's Move: PPA moved into its new headquarters at the Bishop Farmstead and its 18th Century brick farmhouse. The move gives us sorely needed office and meeting spaces, and much, much more. Over the

coming year, we will be installing native plant and historical demonstration gardens, a visitors center and other programs to raise public awareness about the Pinelands and the work of PPA and its friends and allies.

Toms River Corridor Plan: The Pinelands Commission took a bold new step by sponsoring the creation of a new conservation plan for the land along the Toms River in Jackson and Manchester Townships. PPA participated in a process that looked at the area's excellent natural resources, then redrew the Comprehensive Management Plan to better protect those resources. Manchester and Jackson are currently in the process of adopting those changes into their local ordinances. Jackson residents have been particularly active and successful in supporting these changes.

Special Pinelands Plants Course: PPA created the first intensive training course dedicated to the Pinelands' rare, threatened and endangered plants for government and nonprofit staff, environmental professionals and interested lay-people. Led by botanist Ted Gordon, the program consisted of 10 all-day classes between April and October. Due to the rave reviews of participants, PPA is organizing another course this year to be led by plant experts Bill Olson and Wayne Ferren.



MISSES! *The past year also brought with it some setbacks and some obstacles to our mission:*

Fast Track Permit Act: Acting faster than the speed of light, the New Jersey legislature passed the worst environmental law in living memory. The Fast Track Permit law will allow developers in designated "growth areas"—making up about 1/3 of the state—to buy their way into an expedited permit review process under which government agencies have to act on permits within 40 days—regardless of their size, complexity or impacts—or the permits will be automatically granted by operation of law. The statute has many other bad features as well. The state's environmental community is fighting for repeal, and numerous legislators have now sponsored a bill to do just that.



Photo: Howard Boyd

Northern Pine Snake (State Status: Threatened)

Sanctuary Pine Snake Settlement: In a reprise of its 2000 settlement over endangered Timber Rattlesnakes with the developer of the "Sanctuary" in Evesham, the Pinelands Commission adopted a similar bad settlement to, literally, clear the way for destruction of habitat of the threatened Pine Snake—a supposedly protected species which

continued on next page

the developer failed to identify in any of its environmental reports to the Commission. Like the rattlesnake settlement, the new Pine Snake settlement approves development of snake habitat, and does so without any scientific survey or analysis of the snake population's needs. PPA and New Jersey Audubon Society are challenging the settlement in court.

Heritage Minerals Settlement: The state of New Jersey finalized a settlement of the long-standing Heritage Minerals issue to allow construction of up to 1,450 housing units on about 900 acres of land in Manchester Township. The settlement allows construction of far more houses than the Pinelands Comprehensive Management Plan or local zoning allow. But because this site is in the coastal zone, it is under the control of the Department of Environmental Protection, not the Pinelands Commission. On the positive side, the developer agreed to give (that is, not sell) several thousand acres of Pine Barrens habitat to the state as compensation.



WAIT & SEE:

CMP Proposed Amendments on Plants and Oyster Creek watershed: The Pinelands Commission proposed, but has not yet adopted, two excellent changes to the CMP. One would expand the list of rare plant species that are protected from development. The other would change about 4,300 acres in the Oyster Creek watershed from Rural Development Area to

Forest Area, greatly reducing the type and intensity of development allowed in this ecologically rich area. While we expect the Commission to adopt both amendments in the next few months, this cannot be considered a "hit" until the Commission actually does so.

Statewide T&E Regulations: The Department of Environmental Protection has been sitting on innovative new rules that would, for the first time, require developers to protect threatened and endangered animal habitats throughout the state. These rules would buttress the Pinelands Commission's existing regulations for the Pinelands Area. Political concerns seem to have kept the Department from issuing and adopting the rules, but we are told it will finally propose the rules for adoption in the next couple of months. If the Department carries through and makes these rules a reality, it will be a great environmental success for 2005.



Timber Rattlesnake (State Status: Endangered)

2005 SPECIAL PINELANDS PLANTS COURSE

Wayne Ferren and William Olson are the instructors for the second Special Pinelands Plants Course. The course consists of 12 full-day Saturday sessions beginning April 16 and ending October 1. Cost is \$350. With workshops, lectures and fieldwork, this promises to be a remarkable survey of the rare flora of the Pinelands. Class is restricted to 20 students. Call Russell at PPA (ext. 23).

PINELANDS COMMISSION MEETINGS

Thursday, February 10, 7:00pm

Friday, March 11, 9:30am

OPEN TO THE PUBLIC

CALL (609) 894-7300 FOR

INFORMATION

BUMPER STICKER CONTEST

Submit your idea for the new Pinelands Bumper Sticker. A "Special Prize" will be awarded to the winning entry.

Please see our web site for details:

www.pinelandsalliance.org



Since 1994, PPA has been a member organization, and proud to be affiliated with, Earth Share of New Jersey (ESNJ). In 2004 ESNJ, the work place giving choice for the environmental community, celebrated ten years of success with its move to a permanent office it can call its own, as well as a number of other landmark accomplishments.

In early 2004, ESNJ hired its first permanent full-time executive director, Paula Aldarelli. Paula has been instrumental in moving the group forward, adding several new workplace giving campaigns since the start of the year, and spearheading their move to their new home in Trenton.

"Our organization has grown tremendously since its inception in 1994," says ESNJ Executive Director Paula Aldarelli. "People in our state have a growing resolve to protect and preserve our beautiful state and their voices are being heard. With legislators rallying around environmental issues—such as preservation of the Pinelands and Highlands and continued efforts to improve the quality of our lakes, streams, rivers and oceans—New Jerseyans need to continue supporting the organizations that ensure our best interests are met."

ESNJ, a coalition of 56 environmental nonprofits, partners with businesses, communities and individuals to provide opportunities for employees to help preserve NJ's natural heritage with financial support and volunteerism.

Founded in 1994 as the Environmental Fund for New Jersey, ESNJ has dramatically increased its fundraising capacity in the last 10 years. We've gone from raising \$48,000 in year one to more than \$223,000 in pledges during 2003 to protect our state's natural resources. A growing number of New Jerseyans have taken advantage of the

convenience of ESNJ's workplace giving programs, raising over \$1.2 million statewide since the organization was founded.

According to Paula, the workplace-giving environment is changing dramatically as more and more corporations expand their choice. In fact, a 2002 survey of 100 companies representing more than 5 million employees, 40 percent said they had broadened their campaigns beyond United Way-affiliated charities.

ESNJ organizations range from local chapters of national organizations, such as the Clean Water Fund for New Jersey, The Nature Conservancy and Surfriders Association, to homegrown organizations, such as the Pinelands Preservation Alliance, the American Littoral Society, and the Wetlands Institute.

The generosity of ESNJ donors have helped this diverse group of conservation organizations preserve NJ's natural beauty and ensure its environmental heritage for future generations. ESNJ groups work to protect, preserve and restore valuable land, watersheds, river corridors, coastlines and wildlife habitat. The impact of their work directly affects the cleanliness of the air we breathe, the water we drink and the land we enjoy.

To learn more about what ESNJ does or how you can add an environmental giving option to your workplace giving campaign, contact them at (609) 989-1160.



Credit: Nancy Noe

Lois Morris

Lois Morris has Left New Jersey

Lois Morris, friend of the Pinelands and PPA, has left New Jersey and moved back to her hometown state of Indiana. She is going to be missed!

Lois moved to Whiting, Manchester Twp. in 1975 and knew nothing about the area or the Pinelands. To her back then it was just a place she went through on her way to the shore from North Jersey, where she lived and worked.



Credit: Nancy Noe

After moving in she taught herself about the plants and animals of the area. In 1986 she started what was called the "Crestwood Stroll" to teach others. She became a member of the Crestwood Garden Club and reported monthly to the members by way of her Nature Notes and monitored their yearly bluebird trail.

When PPA began in 1989 she became a volunteer doing wild flower walks, slide presentations and talks about the Pinelands and its protection. Wherever she went and whatever she did was intended to teach the local residents about the woodlands around them and what they needed to do to protect and enjoy them.

In the fall of 2004 she made the decision that it was time to leave New Jersey and move back home to Indiana. The folks in Bloomington will now have to learn to "keep their noses clean," as she often said, when Lois is around!

PINELANDS CALENDAR OF EVENTS

February & March 2005

BOARD OF TRUSTEES

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Pine Barrens Coalition

Annette Zimmermann
Pinelands Resident

Carleton K. Montgomery
Executive Director, Pinelands Preservation Alliance

NOTE: Names, addresses, and phone numbers are provided here for frequently mentioned event sponsors. Please contact the sponsor of the event for full information and details of the event.

Albert Music Hall (AMH). 131 Wells Mills Road, Waretown. www.alberthall.org.

Outdoor Club of South Jersey (OCSJ). Call leaders to confirm trip. www.ocsj.org

Pinelands Preservation Alliance (PPA). 17 Pemberton Rd., Southampton. 609-859-8860. www.pinelandsalliance.org. 10% discount on Pinelands Adventures programs to PPA members. Pre-registration required for all PPA programs.

South Jersey Canoe Club (SJCC). <http://www.geocities.com/southjerseycanooclub>, Email: southjerseycanooclub@yahoo.com

Wells Mills County Park (WMCP). 905 Wells Mills Road, Waretown. 609 971-3085.

Whitesbog (W). All events meet at the Whitesbog General Store. Historic Whitesbog, mile marker 13, Rt. 530, Pemberton Township. 609-893-4646, www.whitesbog.org.

Sunday, February 6

Basic Wilderness Survival

In a single day, we'll cover the practical skills needed in a survival situation. The hands-on nature of the course makes it both fun and memorable. By the end of the day, you'll be able to acquire shelter, water, fire, and food. You'll also have a grasp on land navigation with the compass and USGS topo map. Meet at Batona Camp. 8am - 5pm. \$35. **PPA.**

22nd Annual Ocean County Bluegrass Festival - Be prepared to be entertained Pinelands-style while listening to leading bluegrass bands from the tri-state area. Host: Heidi Olsen of WBJB 90.5 FM. Noon - 5pm. \$8 adults/\$1 children under 12. **AMH.**

Friday, February 11

Jersey Devil Hunt - We start with an old-fashioned campfire (bring your hot dogs & marshmallows!) We calm our nerves with some good, old-time music. Then, with a little ghostly light from the moon, we search the woods, cautiously, for that most infamous denizen of the Pine Barrens. Meet at Batona Camp. 7 - 10pm. \$10. **PPA.**

Saturday, February 12

Tundra Swan Tour

Take a guided tour and see the winter home of the Tundra Swan. Learn all about these fascinating birds. \$8. Reservations required. 9am, 12 Noon. **W.**

Sunday, February 13

Canoe/Kayak the Oswego River

Enjoy an early Valentine's Day paddle with homemade brownies to sweeten the trip. Meet at 10am at Oswego Lake in Penn State Forest. No rentals. Call to confirm. George & Leona F., 609 259-3734. **OCSJ.**

Constable Bridge Hike

7 miles. Pickup: Wells Mills County Park, Waretown. Traveling to Washington Township. 8:30am. - 2:30pm. Note: Flat, some sand. Adults \$6.00 / Children \$2.00 ages 9-14 years. **WMCP.**

Tundra Swan Tour

See February 12 for details.

Saturday, February 19

Pakim Pond Hike

7 miles. Pickup: Wells Mills County Park, Waretown. Traveling to Pemberton Township. 9:00am. - 2:00pm. Note: Flat, some sand. Adults \$6.00 / Children \$2.00 ages 9-14 years. **WMCP.**

Canoe the Great Egg Harbor River

Rt. 54 to Weymouth Forge. Meet at Rt. 54 & Rt. 322 at the river. Meeting time at 9:00 AM means that we shuttle at that time. Please arrive early to unload your boat & gear. Contact: Hartley Tucker (856) 692-5403, Jack Bush (610) 825-6897. **SJCC.**

Tundra Swan Tour

See February 12 for details.

Saturday, February 19- Sunday, February 20

Wilderness Survival Overnight

An excellent test for new skills. Begins on Saturday at 8am, ends on Sunday at 4pm. Build your shelter, purify water, forage for food, make fire, and make a solo trip cross-country with a map and compass. A course for those who really want to gain confidence as survivalists. (Prerequisite: *Basic Wilderness Survival*) \$35. **PPA.**

Sunday, February 20

Tundra Swan Tour

See February 12 for details.

Friday, February 25

Jersey Devil Hunt - see February 11. **PPA.**

Saturday, February 26

Moonlight Walk

1-2 or 3-5 mile walk around the village and bogs. 7pm. \$5. Reservations required. **W.**

Saturday, March 5

Pinelands Short Course (see page two of newsletter for detailed description)

Canoe the Maurice River

Almond Road to Sherman Ave., Rt. 552. Meet at Almond Rd. & River. (Optional takeout: Union Lake, Millville). Meeting time at 9:00 AM means that we shuttle at that time. Please arrive early to unload your boat & gear. Contact: Hartley Tucker (856) 692-5403, Jack Bush (610) 825-6897. **SJCC.**

Saturday, March 12

Jersey Devil Hunt - see February 11. **PPA.**

Saturday, March 19

Canoe Cedar Creek

Dover Forge to Rt. 9. Meet near Whiting at intersection of Rts. 70 & 539. Meeting time at 9:00 AM means that we shuttle at that time. Please arrive early to unload your boat & gear. Contact: George & Ginny Carty (732) 286-5116. **SJCC.**

Songwriter's Show

The songwriter's will feature some of their own compositions in a live stage concert of homegrown country, folk and bluegrass music. Admission: \$5 adults/\$1 children under 12. Show: 7:30-11:30pm. Doors open 6:30pm. **AMH.**

Ongoing:

March 5, 12, 19

Volunteer Shipboard Training

Train to be a Volunteer on NJ's Tall Ship the Schooner A. J. Meerwald. Call to register: 856-785-2060

Upcoming:

Saturday, April 9

Canoe the Nescochague River.

Meet at Rt. 206 & entrance to Paradise Lake Campground, 4 miles south of Lake Atsion. meet at 9am. Contact: Dick Parsells (856) 881-2846, Fred Keeper (856) 881-7910. **OCSJ**

If your organization is having an activity you would like to see listed contact *Inside the Pinelands*, 17 Pemberton Road, Southampton, NJ 08088; ph: 609-859-8860; e-mail mikeh@pinelandsalliance.org. Next deadline: March 5, 2005.

PLEASE VISIT OUR WEBSITE AT WWW.PINELANDSALLIANCE.ORG
PLEASE SUPPORT OUR MISSION & BECOME A MEMBER

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City: _____ County: _____ State: _____ Zip: _____

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Signature of Card Holder: _____

Membership Categories

- Basic \$35
- Family \$60
- Sponsor \$100
- Patron \$250
- Benefactor \$500
- Chairman's Circle \$1,000
- Other _____

All members receive:
A PPA membership card
A year's subscription to *Inside the Pinelands*
A PPA window sticker
Discounts on PPA merchandise and events

**SEE PAGE 2 FOR PPA
PRESENTATIONS SCHEDULE**

A Sponsor will receive an *Exploring the Pine Barrens of New Jersey* map
A Patron will receive a copy of *Exploring the Pine Barrens of New Jersey* book
A Benefactor will receive a Pinelands Botanical Print by Robin Jess
A member of the Chairman's Circle will receive a personalized tour of the Pinelands



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**2004 THE YEAR IN REVIEW/
T&E POLICY NEEDS OVERHAUL**