



State of New Jersey
 THE PINELANDS COMMISSION
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 www.nj.gov/pinelands



Chris Christie
 Governor

Kim Guadagno
 Lt. Governor

General Information: Info@npjines.state.nj.us
 Application Specific Information: AppInfo@npjines.state.nj.us

Mark S. Lohbauer
 Chairman

Nancy Wittenberg
 Executive Director

October 25, 2012

CERTIFIED MAIL
 RETURN RECEIPT REQUESTED
 Peg Leg Webb LLC.
 577 S. Hope Chapel Road
 Jackson, NJ 08527

Re: Application # 1984-0454.003
 Block 19201, Lot 1
 Jackson Township

Dear Sir or Madam:

Please be advised that it has been determined that the preliminary major site plan approval granted by the Jackson Township Planning Board for the establishment of a new resource extraction (mining) operation and the construction of a 1,008 square foot building, containing an office and scale house, on the above-referenced 109.8 acre parcel raises a substantial issue with respect to the conformance of the proposed development with the minimum standards of the Comprehensive Management Plan (see attached). As a result, pursuant to N.J.A.C. 7:50-4.37, the Pinelands Commission will review the proposed development.

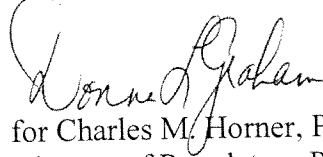
You may request a hearing be held before an Administrative Law Judge. Such a request must be made within 21 days of the date of this letter. If no hearing is requested within said time period, the Executive Director will make a recommendation to the Commission as to whether the proposed development should be approved, approved with conditions or denied. Said recommendation will be based on the material in the file.

NO DEVELOPMENT MAY BE CARRIED OUT ON THE ABOVE-REFERENCED PARCEL UNTIL SUCH TIME AS THE PINELANDS COMMISSION HAS ACTED ON THE PROPOSED DEVELOPMENT.



If you have any questions, please contact Ernest Deman of our staff.

Sincerely,



for Charles M. Horner, P.P.
Director of Regulatory Programs

enc: Statement of Issues

- c: Secretary, Jackson Township Planning Board
- Jackson Township Construction Code Official
- Jackson Township Zoning Officer
- Jackson Township Environmental Commission
- Secretary, Ocean County Planning Board
- Ocean County Soil Conservation District
- Ian M. Borden, PDS
- Theresa Lettman
- Mary and Terry Asbury

STATEMENT OF ISSUES

The following issues will be reviewed in order to determine whether the proposed development conforms to the minimum standards of the Comprehensive Management Plan:

1. Whether the proposed development is consistent with the threatened and endangered wildlife protection requirements contained in Jackson Township's certified land use ordinance and N.J.A.C. 7:50-6.33.

Specifically, this issue is raised because a threatened and endangered species survey submitted for the application identified certain threatened animal species on the parcel and it has not been demonstrated that the proposed resource extraction operation will not have an irreversible adverse impact on habits that are critical to the survival of any local populations of these species.

2. Whether the proposed resource extraction operation is a permitted use in a Forest Area pursuant to Jackson Township's certified land use ordinances and N.J.A.C. 7:50-5-23.

Specifically, this issue is raised because Pinelands Commission records indicate that the concerned parcel is located in the Township's FA-2 zoning district in the Pinelands Forest Area. New resource extraction operations are not a permitted use in a Pinelands Forest Area.

Copies of the cited regulations can be viewed on the Pinelands Commission's website (www.nj.gov/pinelands/).