



NEW JERSEY  
AUDUBON  
SOCIETY

204 West State Street ♦ Third Floor ♦ Trenton, New Jersey 08608 ♦ 609-392-1181

November 15, 2012

Mr. Chuck Horner  
NJ Pinelands Commission  
P.O. Box 359  
New Lisbon, NJ 08064

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

Dear Mr. Horner,

I am writing regarding the pending resource extraction application for Block 19201, Lot 1 owned by Peg Leg Webb, LLC. The proposed development is of concern because the site comprises forest and riparian habitat in which State threatened and endangered wildlife species occurrences have been recorded as indicated by the NJ Department of Environmental Protection's (DEP) Landscape Project (see attached map). According to the Pinelands Comprehensive Management Plan, habitat value of this property for threatened and endangered species is a necessary consideration in the review of such an application.

The New Jersey Audubon Society is a privately supported, not-for-profit, statewide membership organization. Founded in 1897 and one of the oldest independent Audubon societies, NJ Audubon fosters environmental awareness and a conservation ethic, protects New Jersey's birds, mammals, other animals, and plants, especially endangered and threatened species, and promotes preservation of New Jersey's valuable natural habitats. The New Jersey Audubon Society has over 23,000 members.

The Landscape Project classifies Block 19201, Lot 1 as well as the surrounding area as "Rank 4," which denotes the occurrence of at least one State endangered wildlife species on site. In this case, that species is the State endangered timber rattlesnake. State threatened species occurrences also on site include the Pine Barrens treefrog, barred owl, and northern pine snake. Listed as such, these species are imperiled at the State level and, without efforts to protect remaining suitable habitat, will likely experience even greater declines and could even face federal listing. Many of these species are particularly sensitive to habitat loss as they are dependent on the unique habitats of the Pinelands. The Pine Barrens treefrog, for example, has specialized habitat requirements which are met only in the Pinelands and just a few other locations in the country.

It is important to note is the strength of the data used to generate Landscape Project maps such the attached. By combining imperiled and priority wildlife species location information with land-use/land-cover data, the Landscape Project identifies and maps critically important areas for these species. The data on which these maps are based come directly from a database called "Biotics" used by the DEP for tracking rare species occurrences. The species occurrence data in

*Making New Jersey a better place for people and wildlife since 1897.*

Biotics come in large part from surveys conducted by the DEP Endangered and Nongame Species Program with other professional surveys and DEP-reviewed rare species sighting reports contributing the remainder.

Beyond careful evaluation of reported sightings, an additional layer of review is applied to the Landscape Project. Each new version of the Landscape Project is the result of an extensive review process performed by experts from throughout the State. The most recent iteration of the Landscape Project released in February of this year was reviewed by eleven experts and was informed by numerous peer reviewed references, including those necessary to justify species occurrence areas. The updates reflect recent changes to the State's list of endangered species, incorporate the more than 3,500 new species occurrence records that have been added to Biotics since the last update, and include the most current land-use/land-cover data available. Significant testament to the Landscape Project's integrity is the fact that its use in identifying critical habitat for imperiled and priority species has been upheld in court on multiple occasions. The result is a well-informed tool that increases the efficiency with which land-use decisions are made in New Jersey to enable both smart planning and species conservation.

Of additional important consideration is the land management area designation assigned to the site which has been a subject of contention. NJ Audubon supports the Forest Area designation for the site. NJ Audubon participated in the Toms River Task Force which completed *A Regional Natural Resources Protection Plan For the Toms River Corridor Jackson and Manchester Townships Ocean County* in 2004. Included in the Plan's recommendations were proposed changes to municipal zoning and Pinelands Management Area boundaries to "more effectively protect forested landscapes, habitat for threatened and endangered species and important water resources, while concentrating future development in areas that are already disturbed." NJ Audubon supports these recommendations, which included placing Block 19201, Lot 1 in the Township's FA-2 zoning district in the Pinelands Forest Area.

The Landscape Project's classification of this site and surrounding area as Rank 4 as well as the Task Force's recommendations to classify the region as a Forest Area indicate the significant habitat value of this site. Permitting resource extraction on this site would impact this habitat value.

Please feel free to contact me with any questions and please do notify me as to any action taken on this application.

Sincerely,

Kelly Mooij, Esq.  
V.P. of Government Relations

Enclosed: Map with Landscape Project layers applied to Block 19201, Lot 1 generated by DEP's NJ-GeoWeb Map Viewer (<http://www.nj.gov/dep/gis/geoweb splash.htm>). As the legend indicates, the site is "Rank 4" habitat because there is at least one State endangered species occurrence. A look at the associated report denotes occurrence of the State endangered timber rattlesnake and the State threatened Pine Barrens treefrog, barred owl, and northern pine snake.