



# State of New Jersey

THE PINELANDS COMMISSION

PO Box 359

NEW LISBON, NJ 08064

(609) 894-7300

www.nj.gov/pinelands



Chris Christie  
Governor

Kim Guadagno  
Lt. Governor

General Information: [Info@njpines.state.nj.us](mailto:Info@njpines.state.nj.us)  
Application Specific Information: [AppInfo@njpines.state.nj.us](mailto:AppInfo@njpines.state.nj.us)

Mark S. Lohbauer  
Chairman

Nancy Wittenberg  
Executive Director

## Plan Review Summary of Comments Submitted

106 Groups or individuals provided comment.

### Groups:

Pinelands Preservation Alliance  
New Jersey Sierra Club  
New Jersey Forestry Association  
New Jersey Outdoor Alliance  
Pinelands Municipal Council  
East Coast Enduro Association  
Pine Barrens Enduro Riders  
New Jersey Concrete and Aggregate  
New Jersey Trail Lovers Association  
Friends of the Black Run Preserve  
The Nature Conservancy  
New Jersey Builders Association  
Atlantic County Board of Agriculture  
MCI Motorcycle Club  
Ocean County Competitive Riders

Garden State Outdoor LLC  
Great Egg Harbor Watershed Association  
South Jersey Enduro Riders  
Brain Injury Alliance  
New Jersey Women in Law Enforcement  
Tri County Sportsmen Motorcycle Club  
Allegheny Society of American Foresters  
Rancocas Conservancy  
New Jersey Farm Bureau  
American Cranberry Growers Association  
New Jersey Environmental Lobby  
New Jersey Audubon Society  
New Jersey Conservation Foundations  
Meteor Motorcycle Club

The following represents a list of the majority of the issues, suggestions, recommendations, thoughts and criticisms raised.

### PDCs

- Need inducements for purchases (different ideas as to what/how)
- Prohibit donating PDCs
- Increase use in RGAs
- Don't add more PDCs to the pool
- Don't waive PDC purchase for low income/senior housing
- Allow for use outside of the Pinelands
- Move ahead with previously-drafted, proposed changes
- Reduce PDC requirement for certain stormwater approaches and increased wetlands protection
- Expand use to commercial
- Require growth area zoning that meets market demand (smaller lots multi-family)

**Enduros**

- Concerns with damage caused by off-road vehicles on state-owned land
- Require a secure bond for all enduro permits
- Increase fees to cover Commission review time
- Limit the creation of new trails.
- Have municipalities strengthen enforcement
- Need to address other off road vehicles
- Set up program where local residents monitor off road vehicle use

We received numerous comments from the enduro community opposed to the above:

- Enduros do little damage
- Vehicles are registered and insured
- Enduros are reviewed by the Commission and fees are paid
- Problems are caused by the unregulated activities

**Forestry**

- Don't regulate forestry as development
- Change definition of forestry from development to agriculture or horticulture.
- Do regulate forestry as development
- The Commission should encourage ecological forest management

**Administrative**

- Streamline permit process
  - For all
  - For municipalities only
- Require public notice for private applications
- Revise Certificate of Filing process to be optional
- Eliminate no call up for building permits
- Eliminate no call up for final site plan or subdivision approvals. Replace with engineer self-certification.
- Establish timeframes for permit actions with deemed approvals where timeframes are not met.
- Adopt a waiver provisions (EO2)
- The public approval process is too complex and costly for local governments.
- Streamline or provide relaxed standards for development in growth areas

**Wetlands**

- Set buffers consistent with DEP (50' – 100' – 150')
- Keep 300 foot buffers
- Create a more predictable buffer model

**Stream restoration**

- Allow for changes in flow and wetland type due to the removal or replacement of an in-stream structure if the intent of the project is to eliminate a current ecological threat and restore natural stream conditions

**Mining**

- Revisit the one-mile restriction for recycling facilities at sand and gravel operations.
- Reconsider the blanket 300-foot buffer for wetlands and use NJDEP's 50 -100-150 foot buffer.
- Need better enforcement to ensure restoration occurs
- Prohibit enlargement of a pre-1985 tract if the enlargement area was not part of the land that had a non-conforming status

**Herbicide use**

- Utility companies support the selective use of herbicides for Right of Way vegetative management.

**Outdoor advertising**

- Rely on DOT regulations and local zoning requirements regarding the location of outdoor advertising. Pinelands Commission requirements provide no additional value
- Remove the section of the CMP that requires sign transfer credits for Pinelands Regional Growth Area and Towns.

**Agriculture**

- Indigenous grapes - designate the Labrusca grape as native
- Add equine agriculture as permitted use in Preservation Areas

**Kirkwood/Cohansey Water supply**

- Ensure there is adequate water supply
- The Kirkwood/Cohansey reports should be used as the basis for CMP amendments as necessary to protect water supply and limit ecological impacts
- Water conservation should be encouraged
- Correlate water allocations (new and existing) with actual conditions
- Use the Kirkwood/Cohansey only as a last resort

**Landfill closure**

- Impermeable caps should not be required, they do not protect the groundwater
- Allow for the use of "contaminated" soil for landfill cover

**MOAs**

- Replace MOAs with facility plans
- Concern expressed that the Commission has no enforcement authority so there is no way to ensure the MOA requirements are implemented
- Eliminate MOAs
- Use MOAs less frequently

- Don't allow through the MOA process what wouldn't be allowed through the regular permitting process
- Need better post-MOA monitoring
- Several didn't like the WQMP MOA specifically as it allows more growth
- The equivalent level of protection standard is overburdensome

### **Route 70**

- Numerous letters and a petition with 782 signatures were submitted regarding safety concerns
- Commenters noted a high number of accidents and fatalities

### **Black Run Watershed**

- Specific changes to the CMP recommended to protect the headwaters, including changing the Management Area designation

### **Commission**

- Expand science advisory committee
- Add a state-appointed agricultural representative to the Commission

### **Threatened and Endangered Species**

- Need protocols for accepting and approving studies
- Plant list – need to expand the list to include DEP's "species of concern"
- Exempt growth areas and towns from threatened and endangered species requirements
- Require a different level of study for areas where development is appropriate
- Standards for what constitutes a local population should be defined within the CMP
- Habitat management plans should be included in the CMP with standards that allow reasonable solutions and scalable ratios of preservation compensation

### **Stormwater:**

- The Pinelands stormwater requirements are insufficient even though they are stricter than DEP's
- Change the CMP to address nonstructural strategies and runoff quality standards
- Change stormwater requirements to be consistent with DEP
- Eliminate redundant reviews
- Delegate stormwater reviews to the municipalities
- Develop a manual of stormwater BMPs specific to the Pinelands

### **Public Comment Process:**

- Need some night meetings to provide more opportunities
- Provide public comment, hearings and meeting notifications within a 30-day timeframe.

### **Vegetation:**

- Change CMP to protect existing roadside habitat
- Change CMP to prevent creation of turf areas instead of native vegetation
- Change native vegetative guidelines to requirements

- Require use of native plant and seed material
- Use roadside standards adopted by the “American Association of Highway and Transportation Officials”
- Standards for protecting the native vegetation of road shoulders need to be established and enforced
- Develop a manual on native landscaping specific to the Pinelands

### **Planning**

- Encourage mixed-use development
- Address economic needs of the municipalities in CMP
- Better evaluate where and how growth occurs
- Need to consider the impacts of development in the Pinelands on Barnegat Bay
- Redevelopment should not be permitted in the Pinelands because it is not addressed in the CMP
- Protect the rural character of the Pinelands
- No more development
- Do not include in the CMP the growth areas identified in the State Strategic Plan
- Need better oversight of growth in the growth areas. Ensure there is water and wastewater capacity
- Implement cap-and-trade systems to balance impacts within a given watershed
- Require all development meet Leadership in Energy and Environmental Design (LEED) standards

### **Septic/Wastewater:**

- Change distance to seasonal high from 5 feet to 2 feet
- Encourage use (retrofits) of alternative systems in headwater areas
- Allow use of alternative designs systems in all areas
- Make water quality standards the same as DEP
- Allow direct discharge from existing plants to surface water with enhanced treatment
- Don't approve sewer service in Pinelands Villages.
- Eliminate the 3.2 acre requirement for the development of a single family residence within the Pineland Villages and mandate a septic system that addresses public health and meets U.S. Environmental Protection Agency standards

### **Climate Change**

- Include greenhouse gas emissions as part of development review
- Destruction of pine forests should be discouraged as it is important to reducing CO2 emissions