Against enormous odds, the environment prevailed on January 10th when the Pinelands Commission voted down a resolution to allow construction of a natural gas pipeline in a protected part of New Jersey's Pinelands. The commission's vote defeated a proposed “memorandum of agreement” that would waive basic Pinelands rules and allow construction of a pipeline that would bring natural gas to the B.L. England power plant at the Jersey Shore.

The proposal grew out of a plan by Rockland Capital Energy Investments LLC, a Texas-based firm that invests in energy development. Rockland bought the old B.L. England power plant on the banks of Great Egg Harbor in Upper Township, Cape May County after the N.J. Department of Environmental Protection ordered this coal and oil-fired power plant be shut down because it was too dirty. Rockland stepped in with the idea of retrofitting the plant to run on natural gas. To get the gas to the plant, it teamed with South Jersey Gas to build a new pipeline 100% dedicated to serving the power plant.

It is not entirely clear how, but South Jersey Gas, the Board of Public Utilities and the senior staff of the Pinelands Commission ended up committing themselves to supporting a route for this new transmission line from a terminus in Maurice River Township across the Pinelands Forest Area to the power plant – even though this route directly violates a key provision of the Pinelands Comprehensive Management Plan (CMP).

There were alternative routes that would not violate the Pinelands rules. South Jersey Gas itself identified one. So it is somewhat of a mystery how all these players, including the public agency whose mission is to defend the Pinelands, came to spend so much time, money and energy on pushing this particular route. Perhaps this route was so much cheaper to build that it justified the risk; perhaps some powers in Trenton pushed the deal without realizing the legal and political minefield into which they were walking; or perhaps it was just poor judgment.

To get around the CMP language barring this
Hello! My name is Geoff Richter and I am the 2013-2014 AmeriCorps New Jersey Watershed Ambassador for the Rancocas Creek Watershed. I graduated May 2013 from Ramapo College of New Jersey with a degree in Environmental Studies and a Minor in Anthropology. In the summer of 2012 I served as the May H. Weis Environmental Fellow at the former NJ Audubon Weis Ecology Center in Ringwood, where I cut my teeth in multi-age environmental education. My education has been based on an interdisciplinary approach to engaging environmental and social issues, which I find fitting for dealing with the challenges of my current term of service.

The purpose of the Watershed Ambassador program is to raise awareness of watershed systems, exploring the effects of human development on these systems, and developing skills within communities to deal with decreased water quality. I am available to teach lessons on the basics of water, the water cycle, water pollution and stream organisms, and am flexible to tailor presentations to all ages, knowledge levels, and locations. I strive to make each of the presentations I give as interactive as possible, thus lessons have a tendency to include hands-on learning, demos of natural processes, and as much time out of a chair as possible. I want to make as stimulating an impact on my audience as possible, for science based lessons aren’t necessarily in great supply these days. My goal is not to turn people into die hard environmentalists (though that would have its perks) but to give them the information they need to enhance their understanding of what roles they can play within a watershed or ecosystem.

Apart from education, I am available to assist with community projects that are meant to improve water quality and habitats, as in garbage removal, invasive species removal, replanting stream banks, rain barrel and rain garden work-shops, conservation themed festivals, or whatever else you feel might be successful! We live in the most densely populated state in the country and there is a tremendous amount of impervious surface (roads, sidewalks, etc.) that impedes water absorption and invites non-point source pollution. Many communities around the state and country have been very successful in implementing projects like rain gardens to better manage stormwater.

I will be conducting stream assessments in target watershed areas, like the Black Run in Evesham Township. I will also be conducting volunteer monitoring training to deepen a casual observer’s understanding of what indicates stream health.

As an AmeriCorps member, I offer my time and services free of charge. I can do programs for science classes, conservation groups, community groups and Scout troops. I’m only here until July 2014 so contact me soon. If you are not in the Rancocas Creek Watershed, I can put you in contact with the Watershed Ambassador in your area. I look forward to working with you!

Geoff Richter
Email: wma19@pinelandsalliance.org
Phone: 609-859-8860 ext. 56
Dr. James Still (1812-1885), a renowned herbalist and homeopathic healer, was born at Indian Mills and resided in Burlington County most of his life. Often called “The Black Doctor if the Pines,” Still was one of 18 children born to former slaves Levin and Charity Still. His brothers included abolitionist William Still and Peter Still, who rescued himself from slavery.

Born into poverty and mostly self-educated, James Still became one of the wealthiest men in Burlington County. He owned land along Church Road in Medford from Cross Roads, the intersection of Church and Mt. Holly Roads, to Wilkins Station. He built a fine house with a small office next door and developed a hospital in an old tavern on Route 541. He married twice and had eight children.

James Still’s story was one of hard work, thrift and saving. He prospered through his own industry and gave much of the credit to Providence. He and his family experienced poverty and prejudice, but persevered with faith, modesty and frugality. Dr. Still recorded the story of his life and philosophy in an autobiography published in 1877.

Dr. Still rebuilt and enlarged his home three times until it was a substantial, mansard-roofed edifice. Unfortunately, it was torn down in 1937. The office building remains, however, and has been used as a residence throughout the years.

Valerie Still, Dr. James’ great granddaughter, returned to Burlington County six years ago after a long and successful professional basketball career. She drove over to see the office and found it was for sale. Springing into action, Ms. Still roused the state and township to action. New Jersey purchased the Still office and grounds in 2005, the first African-American historical property it has acquired for preservation and interpretation. The state also bought the Bunning Farm located immediately to the east of the Still property, envisioning it as a buffer and interpretive site.

A Preservation Plan for the office was developed for the New Jersey Historical Trust and published in 2009. The plan provided background on the Still family and the Doctor’s herbal practices and analyzed the condition of the building’s interior and exterior. It also presented a threelayered recommendation and cost analysis for preservation-investigation, stabilization, and restoration. An archaeological survey was also included.

Despite intense local interest, the Still site languished. A change of administration in Trenton and accompanying staff realignment resulted in its virtual abandonment. In spring of 2013 the Medford Historical Society signed an Agreement of Use with the state to maintain and interpret the two buildings.

Work at the site began on January 21, 2013, on the Martin Luther King, Jr. day of service and the coldest day of the year. About 80 volunteers turned out to clean up the sites. A huge amount of brush was cleared and trash collected. From scouts to senior citizens and a number of members of the extended Still family, enthusiasm and support for the restoration project was evident. More than 100 volunteers returned to help on the Martin Luther King, Jr. day of service in 2014.

Fundraising yielded enough pledges to renovate the Bunning farmhouse into an education and interpretation center. Dozens of volunteers sanded, painted, cleaned and hammered to get the Center open on September 22, 2013. Programming started immediately, with a year’s worth of monthly talks and workshops planned. A pilot school program has been devised with the Medford School District and will be implemented in the spring of 2014. In keeping with Dr. Still’s botanical interests an herb garden was constructed at the Bunning Farm on Earth Day.

The longer process of restoring Dr. Still’s office is still the goal. Since the building is on the Historical Register, renovation must follow strict guidelines. Original materials must be used and professional restoration architects and builders employed. The NJ Department of Environmental Protection had funds set aside for this, but Hurricane Sandy came along and all resources were redirected to damaged areas. The delay is hard to endure, but the staff of Brendan Byrne State Forest, which supervises the Still site, is doing what they can with outdoor maintenance, signage and asbestos removal.

Meanwhile, the public is invited to visit the Dr. James Still Historic Site Education Center and participate in its programs. There will be a huge celebration of Juneteenth on Saturday, June 14, 2014, a day that commemoratesthe announcement of abolition of slavery in Texas in 1865 and is traditionally celebrated as a day of family picnics throughout the United States. A barbecue and community picnic will commence at noon.

For more information, please visit Facebook at “Dr. James Still Historic Office Site and Education Center” or check www.medfordhistory.org. The Center is located at 211 Church Road, Medford, NJ 08055.
Four Former New Jersey Governors Opposed the Pipeline

This letter was sent to the Pinelands Commission on December 12, 2013 as part of the public comment opposing the Memorandum of Agreement that would have permitted South Jersey Gas to construct a natural gas pipeline through the Pinelands Forest Area. It demonstrates the bipartisan support for protection of New Jersey's Pinelands.

December 12, 2013

Mark Lohbauer
Chair
New Jersey Pinelands Commission
15 Springfield Road
New Lisbon, New Jersey 08064

Dear Chairman Lohbauer,

We are writing to express our concern with the pending proposal to approve a natural gas pipeline across the Pinelands Forest Area through an Intergovernmental memorandum of agreement. We share a deep commitment to the Pinelands as one of New Jersey’s most precious resources, and to the Pinelands Comprehensive Management Plan as the nation’s most successful program to save vulnerable natural resources in the context of a crowded and vibrant state. The current proposal would compromise the integrity of the Pinelands Plan and serve to encourage future development contrary to the vision the Plan sets out for growth and conservation in the Pinelands.

Having served in government, we understand the reasons that are presented, often compellingly, to waive environmental protections in what may seem at the time to be unique or extraordinary cases. We believe, however, that the Pinelands program will only work over the long term if the Plan is implemented consistently. Only then will utility companies, developers and others in government and industry form their own long-range plans to comply with the Pinelands vision. Indeed, the need to set out clear and stable guidance for infrastructure development such as pipelines was one of the principal motivations behind the Pinelands legislation and Plan. For these reasons, we urge the Commission to stick to the Plan in this case.

Sincerely,

Brenda T. Byrne
Thomas H. Kean
Christine Todd Whitman
James J. Florio
Victory for the Pinelands

continued from cover

kind of development from the Forest Area, the Pinelands Commission senior staff advocated for the Commission to approve the project via an “intergovernmental memorandum of agreement” or “MOA.” This is a process built into the CMP allowing the Commission to give permits for public development by a contractual arrangement with a public agency carrying out the development. Problematic at all times, this process for giving waivers is restricted by the terms of the CMP to “public development” that is “carried out” by a “public agency.” The pipeline, however, was no such thing. It was to be a privately constructed, privately owned and operated development carried out by a private corporation for private profit. Repeated attempts to extend this MOA process to commercial development has become a major threat to the whole Pinelands program in recent years.

As the Pinelands Commissioners began to consider the proposal, the public geared up to voice fundamental concerns and objections. Among these voices, four former governors – Brendan Byrne, Tom Kean, Jim Florio and Christie Whitman – submitted a joint letter to the Pinelands Commission opposing the proposal (see letter on pg. 4). They explained that, “The current proposal would compromise the integrity of the Pinelands Plan and serve to encourage future development contrary to the vision the Plan sets out for growth and conservation in the Pinelands.”

In the end, almost 20,000 people spoke out against the pipeline proposal at meetings, by email and letter, and in petitions. Environmental groups – especially Pinelands Preservation Alliance, Sierra Club, New Jersey Environmental Federation, Food and Water Watch, Environment New Jersey, Don’t Gas the Pinelands Coalition and PEER NJ – devoted enormous efforts to getting the word out, helping citizens make their voices heard, and providing rigorous analyses of the deeply flawed arguments put forward in favor of sacrificing the Pinelands Comprehensive Management Plan for this one commercial pipeline. The story was covered all over the country, and all but one of New Jersey’s leading newspapers editorialized against the pipeline.

South Jersey Gas and Rockland Capital have not stated what course of action they will take now that the Pinelands Commission has voted down their preferred course of action.

On January 10th, before a packed hearing room, the Pinelands Commission voted seven in favor, seven against, with one (unwilling) abstention. Because the Pinelands Commission can only take action on the affirmative vote of at least eight Commissioners, the proposal failed. Had the one Commissioner who had been (wrongly) told he had to recuse himself been able to vote, the tally would have been eight against seven in favor. (Each Commissioner, excepting one, gave his or her reasons for voting as they did, and we summarize those reasons on pg. 6.)

That vote speaks volumes about what works in the Pinelands protection system – and about how precarious that system has become.

We cannot rest on our laurels. In trying to save forests and habitats, all losses are forever, and all victories are provisional. The pipeline proposal, the close vote and the machinations that went into trying to push it through show that the public must stay engaged.

On the one hand, this vote is reassuring. First, the commission could only waive its rules by an affirmative vote of eight of its fifteen members (the proposal got seven). The decision did not rest in the hands of one person, but required a group of people of varying professions and backgrounds to deliberate in public and act collectively. This safeguard makes it harder to create a “done deal” behind closed doors.

Second, the vote for and against was completely bipartisan. Of the seven “no” votes, four came from commissioners nominated by Gov. Christie (three Republican and one Democrat), two came from commissioners nominated by a Democratic governor (one Republican and one Democrat), and one was the representative from the U.S. Department of the Interior. One of the most important reasons the Pinelands protection program has survived over 35 years is that it has been a bipartisan cause.

But the vote also showed the Pinelands’ vulnerability. As the chairman of the commission explained, the proposal was unlawful. Yet it almost passed. Seven commissioners supported the proposal, and those who gave their reasons said it would bring jobs or more reliable electricity service. These grounds were unproven, but, more important, they were irrelevant to the mission and responsibilities of the Pinelands Commission in voting on this specific development project. The commissioner’s regulations already stipulate that the Forest Area cannot be used as a transit route for infrastructure such as gas pipelines. Energy companies and other businesses must conform their plans to those rules.

South Jersey Gas and Rockland Capital have not stated what course of action they will take now that the Pinelands Commission has voted down their preferred course of action. Some South Jersey politicians, including State Senator Jeff Van Drew, have begun calling on the Commission to reverse itself and approve the original deal. While that seems unlikely – that deal would still be illegal and subject to reversal by the courts – it is unlikely the issue will simply go away.

To save the Pinelands over the years to come, the Pinelands Commission must rededicate itself to its conservation mission. Commissioners and staff need to respect the CMP, and the use of “memorandums of agreement” to evade environmental protections must be stopped. This is possible if the public demands it and government leaders do right by the Pinelands.

We cannot rest on our laurels. In trying to save forests and habitats, all losses are forever, and all victories are provisional. The pipeline proposal, the close vote and the machinations that went into trying to push it through show that the public must stay engaged.
How Commissioners voted on the Pipeline Issue

by PPA Staff

The Pinelands Commission is an independent state agency whose mission is to “preserve, protect, and enhance the natural and cultural resources of the Pinelands National Reserve, and to encourage compatible economic and other human activities consistent with that purpose.” The 15-member Commission is composed of seven representatives appointed by the Governor and approved by the New Jersey Senate, seven members from the counties that fall within the Pinelands boundaries, and one member appointed by the U.S. Secretary of the Interior.

Prior to voting on the South Jersey Gas pipeline Memorandum of Agreement (MOA) on January 10th, all but one of the Commissioners gave a statement. What follows is a summary of their comments in the order they were made. [References to the Pinelands Comprehensive Management Plan abbreviated CMP]

Richard Prickett, nominated by Gov. Christie, voted “no,” stating that the MOA does not achieve “equivalent protection” of Pinelands resources and that he worries about the consequences for future exceptions if this MOA goes through.

Paul Galletta, Atlantic County appointee, voted “yes,” stating that the BL England plant is needed for reliable energy supply. Two summers ago, his blueberry farm experienced a prolonged outage because “there wasn’t enough electricity in the grid.” He also said the MOA provides money for open space acquisition and it will keep jobs in the Pinelands National Reserve.

Sean Earlen, Burlington County appointee, voted “yes,” saying that the MOA is the right vehicle to approve the pipeline. He said there are no threatened and endangered species, wetlands or habitats being destroyed by the pipeline and the money to buy 2,000-3,000 acres is “equivalent protection.”

Robert Jackson, nominated by Gov. Corzine, voted “no,” saying the MOA made him uncomfortable given the fact that South Jersey Gas is a business and not a government entity. He said there is no evidence that jobs will be lost if the Commission does not approve the MOA, nor is there evidence that this is the only way for the pipeline to reach the BL England plant. He said that the creation of jobs and a strong energy grid are not in the Commission’s purview.

William Brown, Cape May County appointee, voted “yes,” saying the gas pipeline will reduce air pollution. He has suffered for 40 years living downwind of the plant while it burned coal. He said profits and capitalism are good. These are what he fought for in World War II.

Joseph DiBello, federal representative, voted “no,” saying the pipeline is not consistent with the CMP. He was not sure the MOA was the right approach or that it provides an equivalent level of protection. It is important for the Commission to adhere to the spirit and intent of the CMP.

Alan Avery, Ocean County appointee, voted “yes,” saying prior MOAs show this is the right thing to do. He cited prior MOAs like the Transmission Line MOA, the Southern Ocean Landfill, the Woodland ORV park, and the Garden State Parkway communications lines MOA.

Gary Quinn, nominated by Gov. Christie and the mayor of Lacey Township in Ocean County, voted “yes,” saying there is a need to diverge from the CMP because there is a need for more reliability in the electricity supply. He said in coming years we could face a shortage of electricity with the closure of the Oyster Creek Nuclear Plant.

Edward McGlinchy, Camden County appointee, voted “yes,” saying the MOA is like a land use zoning variance. It is an exception to the rule. As long as MOAs do not become the rule and they remain the exception, then he is not opposed.

Mark Lohbauer, nominated and appointed Chair by Gov. Christie, voted “no,” saying the Commission’s first and only obligation is to the CMP – not jobs or emissions. He said the pipeline proposal is not consistent with the CMP, and an MOA is not the correct way to approve this kind of development. South Jersey Gas must apply for a waiver of strict compliance if it wants to build along this route.

Leslie Ficaglia, Cumberland County appointee, voted “no,” saying approving this MOA would set a dangerous precedent and encourage more like it, and an MOA in this case would compromise the CMP.

Candace Ashmun, an original member of the Commission, first nominated by Gov. Byrne and renominated by Gov. Christie, voted “no,” saying the MOA does not meet a proven need and would set a bad precedent. There has been no independent review of the impacts of the pipeline, which appears badly designed for the Pinelands. There has been no review of secondary impacts to be expected from the pipeline.

D’Arcy Rohan Greene, nominated by Gov. Christie, voted “no,” saying “I feel duty-bound to honor the sacred mission of the Pinelands Commission. I do not support this MOA.”

Fran Witt, Gloucester County appointee, voted “yes” but did not give an explanation.

Edward Lloyd, nominated by Gov. McGreevey, recused himself under protest at the direction of the Commission’s ethics officer.
Calendar of Events

Find out what is happening in the Pinelands

April to May 2014

Pinelands Preservation Alliance (PPA) is located at 17 Pemberton Rd., Southampton NJ.

Visit www.pinelandsalliance.org and click on Event Calendar for a complete listing of Pinelands programs and trips provided by a wide variety of groups and organizations.

Pinelands Day - Toms River Library
Sat., April 5, 11am - 3pm, Toms River Library, 101 Washington Street, Toms River, NJ

Learn about the ecology and folklore of the Pinelands with activities including the art of the Pinelands Photography Group, informational fair featuring local environmental organizations, a children’s program offered by the Girl Scouts of the Jersey Shore and workshops on bees and native plants. Enjoy a presentation and songs by storyteller, musician and author of The Legendary Pine Barrens: New Tales from Old Haunts, Paul Evans Pedersen Jr. Sponsored by the Friends of the Toms River Branch. Free program but registration is requested. Contact Ocean County Library at www.theoceancountylibrary.org or phone at (732) 349-6200.

Pine Barrens Ecology and History Van Tour
Tues., April 8, 10 am, Sponsored by the PINES Program, Whitesbog Village

This guided tour will feature swamps, pine & oak forests, cedar water, mudflats & more. Along the way, your feet will stay dry as the “Nature in a Bag” kits bring the Pine Barrens right to you. Science and history are integrated as you explore the cultural history of this region shaped by local people who discovered and utilized the natural resources of the pines. Pre-registration is required. Fee: $10 To register, call (609) 894-9311 x3027.

Walk on the Wildside Hike
Sun., April 13, 1:30 pm, Offered by Woodford Cedar Run Wildlife Refuge (Medford, NJ)

Walk on the Wild Side Hikes will take place April 13, May 11, and June 8th. Join one of Cedar Run’s educators for a themed hike through their many trails.

Pine Barrens Week - Whitesbog Village
Sat., April 19, 9am - 3pm, Whitesbog Village

Join us for Pine Barrens Week - April 19th at Whitesbog Village and the Woodford Cedar Run Refuge for a day of guided tours, local history, art, and fun for the whole family!

PPA Annual Native Plant Sale
Sat., April 26, 11am - 3pm, at PPA Headquarters, Southampton

Every April, the Pinelands Preservation Alliance holds a Native Plant Sale at our offices in Southampton. PPA members can attend the members-only plant sale on Friday, April 25, from 3:00 pm - 6:00 pm. Natives of the Pinelands and New Jersey - from Asters and Bearberry to Vervain and Winterberry. PPA staff will be on hand to provide you with information about choosing the right natives for your home. Call 609-859-8860.

Earth Day Clean-up Forked River Mountains, Ocean County
Sun., April 27, 8:30 am

The Forked River Mountain Coalition, with Ocean County Parks Department and PPA, will conduct a clean up of the Forked River Mountain Area for Earth Day. Pre-registration is required. Call 609-971-1635 to register. Hot dogs, refreshments & entertainment after the clean-up. Volunteers with four wheel drive vehicles are especially needed. An optional hike of the area will be conducted after the clean up. It should take about an hour to hike the two mile long trail through the Pine Barrens wilderness.

Living History Tours at Whitesbog Village
Sun., April 27, 2pm to 4pm, Brendan Byrne State Forest, 120 Whitesbog Road

Experience life in the 1920’s and tour the Village museums with historical interpreters. Cost is $15. Call 609-893-4646 to register.

Spring Flowers at Historic Whitesbog Village
Mon., April 28, 1pm, Sponsored by the PINES Program, Whitesbog Village

See a beautiful array of flowering plants on this walking tour of the Pine Barrens in the spring. Realize the adaptations of these magnificent specimens to the unique conditions and diverse habitats in the Pines. Pre-registration is required. Fee: $10. To register, call (609) 894-9311 x3027.

Yard, Garden & Native Plant Sale - Beachwood, NJ
Sat., May 17, Noon to 4pm, Jakes Branch County Park, 1100 Double Trouble Road

Informal presentations, make a craft, or take a guided nature walk. Local environmental organizations will be on hand with literature and resources for the home gardener. Native plants will also be offered for sale by local nurseries. There will be FREE native seeds and plants to take home, but we encourage you to bring your own native plants or seeds to swap! Please label each item with the common and scientific names, collection date and location. Call 732-281-2750 for more info.

Save the Date!

10th Annual Tour de Pines

Bicycle the length and breadth of the Pinelands National Reserve over 5 days!

The 2014 Tour de Pines will begin on Wednesday, October 1st and end on Sunday, October 5th.

Each day’s tour ranges from 40-55 miles per day, with average speeds of 11-13 mph.

The Tour de Pines is a voluntary, non-competitive, unsupported ride. Participants are required to provide their own transportation, food and lodging (recommendations will be provided with cue sheets). Participants may ride one, two or all days of the Tour. For more information visit: www.pinelandsalliance.org and click on Exploration, Things to Do, Bicycling. Sponsors needed.
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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

Sponsors receive a copy of The Pine Barrens: Up Close & Natural DVD
Patrons receive John McPhee’s seminal book The Pine Barrens
Benefactors receive The Pine Barrens of New Jersey, a photographic history of this region
Chairman’s Circle members receive the book Seasons of the Pines and a personalized tour of the Pinelands

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www.facebook.com/Pinelands

Please Recycle this newsletter! When finished give it to a friend or neighbor and encourage them to learn about PPA’s mission and programs.