

Panel Pushes Controversial Nomination for Pinelands Commission to Full Senate

Tom Johnson | February 25, 2015

Critics contend appointment sends wrong message to conservation community, do what governor says or be prepared to be replaced



Sen. Christopher (Kip) Bateman (R-Somerset)

By a narrow margin, the Senate Judiciary Committee yesterday voted to approve the nomination of Robert Barr to the Pinelands Commission, an appointment almost universally opposed by the conservation community.

The action marked the third time Barr had come up before the panel, which had previously failed to garner enough votes to release the nomination and send it to the full Senate. Yesterday's approval cleared the committee in a 7-5-1 vote.

His nomination drew protests from many environmental groups and lawmakers, mostly because he would replace a commissioner who had refused to back a controversial natural gas pipeline project through preservation areas of the Pinelands.

"I view this as stacking the deck when you don't get the results you want. This is wrong," said Sen. Chris (Kip) Bateman (R-Somerset), the only Republican on the committee to vote against the nomination.

Sen. Nia Gill (D-Union) agreed. "This is about power. If you disagree with Gov. (Chris) Christie, you will be replaced," Gill said.

The controversy over the appointment emerged from a deadlocked vote in which the Pinelands Commission refused to approve a memorandum of agreement that would allow construction of a 22-mile natural-gas pipeline in the Pinelands proposed by South Jersey Gas.

The proposed pipeline, designed to deliver natural gas to the former B.L. England power plant in upper Cape May County, provoked a great deal of opposition, including from two former Republican governors, Thomas Kean and Christine Whitman, and two former Democratic governors, Brendan Byrne and Jim Florio.

If Barr, a resident of Ocean City who has worked promoting causes for the disabled, is approved, critics fear it would tip the balance of the commission and allow the pipeline project to move forward.

More importantly, however, is the signal it would send not only to the Pinelands Commission but also to other independent agencies and commission, critics said. They worry it could undermine 40 years of successful growth-management policies in the 1.1 million preserve.

Janet Tauro of the New Jersey Clean Water Action criticized the replacement on the commission of Robert Jackson, who refused to back the pipeline project. "You will be sending a very strong message to all independent commissions that if you disagree with the administration, you will be replaced," she said.

But Jeff Tittel, director of the New Jersey Sierra Club, said the Democratic-controlled Legislature also is to blame -- along with the administration.

"It would not have happened if Democrats were not following Christie's lead," he said, noting that Senate President Stephen Sweeny's "arm-twisting" made it happen. Three Democrats on the plan voted to approve the nomination, including Sen. Jeff Van Drew (D-Cape May).

Van Drew, probably one of the most vocal proponents of the proposed natural-gas pipeline, only was on the committee because of the absence of another Democratic senator, who had previously blocked the nomination. Sen. Paul Sarlo (D-Bergen) and Sen. Nellie Pou (D-Passaic) voted to release the nomination.

"This is not about one issue," Van Drew said after the public was heard on the nomination. "The issue here is the quality and character of the candidate that has been proposed," he said, calling Barr a "bright and intelligent" young man. Van Drew was the only one who spoke in favor of the nomination, including lawmakers and those in the audience.

Sen. Loretta Weinberg (D-Bergen) disagreed. "If you stand up and do something that the governor doesn't approve of, you are replaced or told to sit down and shut up," she said.