



## PINELANDS PRESERVATION ALLIANCE

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### **Pinelands Commission Meeting August 13, 2010**

#### *PPA Testimony Provided by Russell Juelg*

When the Commission adopted the new policy of limiting public comment on public development applications to the 10-day window following public notice of such applications, in addition to the other elements of unfairness that we have already described, you effectively denied the public the opportunity to comment *at all* on an unknown number of projects. This is true because the Commission had established a precedent of allowing public comment on those applications when they came up as agenda items at regular meetings, thereby creating the standard expectation, by the public, that this was the appropriate opportunity to seize. By abruptly changing the established policy, without making any concession concerning those applications that were noticed prior to the announcement of the new policy, you have deprived the public of its rights.

Your new policy of allowing individuals of the public a mere five minutes of public testimony during these public comment sessions is equally capricious. Five minutes of oral public testimony might be tolerable if it weren't for all the other tools the Commission uses to restrain public involvement.

Consider that there are complicated and weighty matters that are being debated, mainly between the public and the Commission staff. These debates are already marred by fact that the Commission staff and the Commissioners reserve the right to abstain from rational discourse when the public presents challenging facts and logic. You are already in the position of being able to say, in effect, "We don't have to answer your carefully articulated arguments. We can give you brief summary responses, even if they don't properly address your point, or we can just ignore points that we don't want to address."

In addition to holding this kind of trump, the Commission has now disclosed two hole cards. You now give us a mere five minutes to attempt to reason with you in public, and you refuse to publish, in your minutes, the arguments that we submit in written form.

So, in summary, you are evidently doing everything you can think of to arm yourself against contrary public opinion. (1) You always have the option of turning a deaf ear. (2) You don't hold any meetings in the evening anymore, so the average person now has to take off from work if he wants to attend. (3) You have prevented public comment entirely with respect to an unknown number of public development proposals that are pending. (4) You restrict public comment on all other public development proposals to an unreasonable and unworkable 10 day window. (5) You restrict oral testimony at your meetings to five minutes per speaker. And (6) you refuse to publish in your minutes the written testimony submitted by the public, even when it has been offered to you in digital form.

A government agency with a commitment to transparency should have no need to resort to such tactics. Together, these contrivances paint a picture of a government agency that has become afraid to engage in rational discourse with the public. You deserve trust and respect from the public only if you reverse this trend.