

**Adirondack Park Agency
Policy, Procedures & Guidance System**

AGENCY - 2

Topic: Agency Public Comment Policy

John Ernst, Chair

**Date: February 16, 2001
Amended: January 10,
2003; August 10, 2007;
DATE**

I. Purpose

The purpose of this policy is to encourage public comment in a fair, consistent, and transparent manner.

II. Background

The Agency recognizes the importance of remaining open to the receipt of public comment on issues of concern to the Agency and the Adirondack Park. Comments from the public very often prove invaluable as the Agency deliberates upon specific matters and general issues which come before it in the course of business. On the other hand, in certain circumstances, uncontrolled or ill-timed public comment has the potential to interfere with the conduct of the Agency's business and can give rise to an unfair or unequal exchange of information. As a result, it is necessary to establish an easily accessible and consistent public comment procedure which provides adequate time for the public to comment but does not give rise to unfair circumstances.

III. Agency Public Comment Policy

A. Oral Comments

A public comment period will be available during each open meeting of the Agency for the public to comment generally on Agency operations, topics of interest to the Agency or the Adirondack Park, or matters under Agency consideration. The Agency will provide approximately 20 minutes for public comment at or near the end of each open meeting of the Agency. If commenting in person, each commenter must sign up for public comment at the meeting location prior to the Full Agency reconvening at the end of the meeting. If commenting remotely, each commenter must submit their name and the phone number for the phone they use to call into the meeting prior to the Full Board reconvening at the end of the day. Each commenter will be allowed up to 3 minutes to comment. No commenter may cede or yield their time to another commenter. Time for comments and/or for each commenter may be modified at the discretion of the Board Chair depending on the number of commenters.

B. Written Comments

1. Noticed Public Comment Period

For matters for which a noticed public comment period is held, written public comments will be accepted only if received by the Agency by the close of the noticed public comment period.

2. Other Matters

For matters and issues for which a noticed public comment period has not been held, written comments will be accepted only if received by the Agency by the close of business three business day prior to the Agency meeting.

3. Proceedings Involving an Adjudicatory Public Hearing

Public comment will not be accepted at or prior to Agency meetings in connection with proceedings for which an adjudicatory public hearing has been convened other than through the adjudicatory hearing process. Those members of the public who wish to comment with regard to such proceedings should seek to have their comments incorporated into the official record of the proceeding.

IV. Legal Effect

Nothing in this public comment policy should be interpreted to affect or alter any public hearing schedule established by the Agency, nor shall any element of this public comment policy be construed to extend a public hearing record that has closed by its own terms.

The Board Chair may accept additional public comment at variance with this policy in the event that they determine that good cause to accept additional comment has been shown.

The Agency has reviewed and adopted this Agency Public Comment Policy, effective February 16, 2001, as revised to include the public comment procedure for unit management plan review, approved by the Agency January 10, 2003; as further revised to amend the public comment procedure for unit management plan review, approved by the Agency August 10, 2007; as further revised to amend the procedures for receipt of oral and written comments, approved by the Agency **DATE**.

ADIRONDACK PARK AGENCY

By: _____
John Ernst, Chair

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