

# Clean Fuels Program Electricity 2021 Rulemaking

## Advisory Committee Charter

July 31, 2020

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DEQ is a leader in restoring, maintaining and enhancing the quality of Oregon's air, land and water.



State of Oregon  
Department of  
Environmental  
Quality

DEQ can provide documents in an alternate format or in a language other than English upon request. Call DEQ at 800-452-4011 or email [deqinfo@deq.state.or.us](mailto:deqinfo@deq.state.or.us).

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# Objectives and Scope

## Policy Objectives

The policy objective of the Clean Fuels Program (CFP) Electricity 2021 Rulemaking is to implement Section 4B of Governor Kate Brown’s Executive Order 20-04. The EO directs the Environmental Quality Commission and the Department of Environmental Quality to advance methods accelerating the generation and aggregation of clean fuels credits by utilities in order to advance transportation electrification. DEQ will also consider changes or additions to the regulation that will further incent the generation and aggregation of electricity credits including but not limited to ways to:

- reduce the carbon intensity of electricity used as a transportation fuel
- increase access to renewable electricity used as a transportation fuel
- encourage new electric vehicles such as micro-mobility, medium- and heavy-duty, and non-road applications
- create opportunities to maximize transportation electrification in an equitable manner

## Fiscal and Economic Impact

ORS 183.333 requires that DEQ ask the committee to consider the fiscal and economic impact of the proposed rules including:

- Whether the rules will have a fiscal impact, and if so, what the extent of that impact will be.
- Whether the rules will have a significant adverse impact on small businesses, and if so, how DEQ can reduce the rules’ negative fiscal impact on small businesses.

# Roles

## Facilitator

The facilitator:

- Encourages open, candid and robust dialogue;
- Starts and ends the meetings and agenda items on time;
- Encourages innovation by listening to all ideas;
- Tries not to lose good ideas to the consensus process; and
- Recognizes when the discussion is outside the scope of the meeting and steers the discussion back to the focus of the meeting.

## Committee Members

In convening this committee, DEQ has appointed members that reflect the range of entities that are both directly and indirectly affected by proposed changes to the rules. Representatives should be able to consider the technical, policy, fiscal and economic impacts of the program for the organization that they represent.

<b>Advisory Committee Membership</b>	
<b>Name</b>	<b>Affiliation</b>
Greg Alderson	Portland General Electric
Eva DeCesaro	PacifiCorp
Danelle Romain	Oregon PUD Assn & Oregon Fuels Assn
Stu Green	City of Ashland
Victoria Paykar	Climate Solutions
Jana Gastellum	Oregon Environmental Council
Annabel Drayton	NW Energy Coalition
Mike Goetz	Citizens Utility Board
John Thornton	CleanFuture Inc.
Rhett Lawrence	Forth
David Breen	Port of Portland
Evan Neyland	ChargePoint
Erick Karlen	Greenlots
Tiffany Roberts	Western States Petroleum Association
Michael Graham	Columbia Willamette Clean Cities Coalition
Thad Kurowski	Tesla
Andrew Dick	Electrify America

Advisory committee members must attend each meeting to ensure continuity throughout the process. An alternate may be assigned if needed. However, it is each committee member’s responsibility to fully brief their alternate on all relevant issues and prior committee discussions in order to meet the meeting objectives and keep the project on schedule. If a member’s absence is unavoidable, please notify DEQ staff.

Committee members shall:

- Prepare for and attend the meetings to ensure continuity throughout the process
- Consult with constituencies to inform them of the process and gather their input
- Comment constructively and in good faith
- Stay focused on the specific topics for each meeting
- Be courteous by not engaging in sidebar discussions
- Provide DEQ staff with copies of relevant research and documentation cited during the meeting
- Avoid representing to the public or the media the views of any other committee member or the committee as a whole

# Non-Committee Member Attendees

The public is welcome to attend all meetings. The facilitator will manage the meetings to accommodate both members and non-members who wish to provide input, but priority will be given to committee members. There will be time on the agenda dedicated to receiving input from the public.

## DEQ Staff

DEQ is committed to making the most effective use of committee member's time by:

- Establishing clear committee goals, meeting objectives and agendas;
- Giving committee members reasonable access to staff;
- Encouraging all members to take part in discussions; and
- Providing a clear description of members' roles, the committee timeline, the level of agreement expected and feedback on how members' input is used.

DEQ Staff		
Name	Position	Role
Richard Whitman	Director	Administrator, Office of GHG Programs
Colin McConnaha	Manager, Office of GHG Programs	Project sponsor
Cory-Ann Wind	CFP Lead	Project manager; RAC facilitator
Bill Peters	CFP Analyst	CFP subject matter expert
Emil Hnidey	Air Quality Rules Coordinator	Rulemaking process subject matter expert
Susan Mills	Public Affairs Specialist	Media relations

# Public Involvement

## Meetings

All committee meetings will be:

- open to the public
- advertised on DEQ's webpage calendar two weeks before the meeting at: DEQ Event Calendar
- noticed by email to the Clean Fuels Program GovDelivery list
- held remotely via a call-in number or webinar

DEQ will post agenda and meeting materials on the advisory committee website approximately one week in advance. The advisory committee charter and the full roster of the committee will be located on the [advisory committee webpage](#) in addition to meeting agendas, background materials, and meeting summaries. DEQ will not prepare a formal committee report.

## Decision Making

DEQ will not seek consensus from the committee, nor will the committee be asked to vote, on specific issues. The committee's discussions will be used by DEQ in forming its draft rule, which will then be proposed for broader public review and comments as part of DEQ's rulemaking process.

## Public Records and Confidentiality

Committee communications and records, such as formal documents, discussion drafts, meeting summaries and exhibits are public records and are available for public inspection and copying. DEQ does not assume responsibility for protecting proprietary or confidential business information shared during committee or subcommittee meetings. However, the private documents of individual committee members generally are not considered public records if DEQ does not have copies.

## Information Exchange

Committee members will provide information as much in advance as possible of the meeting at which such information is used. The members will also share all relevant information with each other to the maximum extent possible. If a member believes the relevant information is proprietary in nature, the member will provide a general description of the information and the reason for not providing it.

## After the Committee Meetings

Once the committee process is complete, DEQ will develop draft rules and conduct a public rulemaking process. That process will include a specified period during which the public can submit comments on the proposed rules. DEQ will also hold a public hearing during which any member of the public can submit written or verbal comments. Individual committee members may provide comments to DEQ on the full draft rule at this time. DEQ may modify the final proposed rules based on public comment. DEQ intends to take a final proposed rule to the EQC for consideration at its March 2021 meeting.

## DEQ Contacts

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