

Waldo and Crater Lakes Outstanding Resource Waters Advisory Committee Charter

April 8, 2020
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in restoring,
maintaining and
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quality of
Oregon's air,
land and water.



State of Oregon
Department of
Environmental
Quality

Alternative formats

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.

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2. Objectives and Scope

2.1. Policy Objectives

This committee's purpose is to provide early input to the Oregon Department of Environmental Quality on a proposed rulemaking to designate Waldo Lake and Crater Lake as Outstanding Resource Waters (ORW) and to establish policies to protect the current high water quality and unique character of these Oregon waters. The committee fulfills the requirement in Oregon Revised Statutes 183.333 to obtain input from an advisory committee on the fiscal and economic impact of the proposed rule, as described in Section 2.2 below. DEQ does not expect the advisory committee to make decisions or recommendations as a group.

Because the rulemaking for Waldo Lake comes in response to a citizen rulemaking petition, the petition provides the proposed rule language for Waldo Lake. DEQ will develop proposed rule language for Crater Lake. DEQ expects that the rules for Crater Lake will be the same or very similar to the proposed rules for Waldo Lake. However, to the extent that there may be differences to consider, DEQ will seek input on the draft proposed rule language from the advisory committee. See additional information below.

2.2. 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 negative fiscal impact of the rules on small businesses.

2.3. Rulemaking Timeline

The table below shows the major milestones and dates for this rulemaking process.

Milestone	Date
Advisory Committee	May – June 2020
Public Notice and Comment Period	July – August 2020
EQC Field trip (optional)	July 2020
Public Hearings	August 2020
EQC Presentation for Adoption	November 2020

3. Roles

3.1. DEQ 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.
- Captures ideas.
- Recognizes when the discussion is outside the scope of the meeting and steers the discussion back to the focus of the meeting.

3.2. Committee Members

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. The primary and alternate members of the committee cannot participate in the same meeting. If a member's absence is unavoidable, please notify the DEQ project manager.

The committee member:

- Prepares for and sets aside time for the meetings.
- Provides DEQ staff with copies of relevant research and documentation cited during the meeting.
- Stays focused on the specific agenda topics for each meeting.
- Comments constructively and in good faith.
- Consults regularly with constituencies to inform them on the process and gather their input.
- Treats everyone and his or her opinions with respect.
- Allows one person to speak at a time.
- Is courteous by not engaging in sidebar discussions.
- Avoids representing to the public or media the views of any other committee member or the committee as a whole.

3.3. Non-Committee Member Attendees

Those who attend the committee meetings, but are not members of the committee, are there only to observe and not to actively participate. If non-committee members are present at a meeting, the committee has discretion to allow time during the meeting for their comments.

3.4. 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.
- Providing a clear description of member roles, the committee timeline, the level of agreement expected and feedback on how member input is used.

3.5. DEQ Support and Website

DEQ will post agenda and meeting materials on the advisory committee website at least one week in advance of the meeting. DEQ administrative staff will provide meeting summaries that highlight committee discussions, different perspectives and input of committee members. DEQ will not prepare a formal committee report. DEQ will send draft meeting summaries to the advisory committee for review and input. Final meeting summaries will be posted to the advisory committee website and will be part of the public record.

The advisory committee charter, a full roster of the committee, meeting agendas and minutes, and background materials will all be located, on the advisory committee webpage: [Waldo Crater Lake ORW Rulemaking](#)

4. Committee Meetings

All committee meetings will be:

- Open to the public, although the committee will choose whether the public can actively participate in committee meetings.
- Advertised on the DEQ webpage calendar two weeks before the meeting at [DEQ Event Calendar](#).
- Noticed by email to the Water Quality Standards and Rulemaking GovDelivery lists.

The committee is expected to meet two times between May and June 2020 by webinar or at a location convenient to the committee members. The meeting durations may vary depending on topics and committee progress. DEQ may separate discussions regarding Waldo Lake and Crater Lake in order to be respectful of advisory committee members' time if they have a specific interest in one lake or the other. Meeting materials and agenda will be posted to the advisory committee webpage. When DEQ shares information with the committee, DEQ will allow a reasonable timeframe for review and feedback.

4.1. Decision Making

DEQ retains the authority to decide the content of the final proposed rules and rulemaking documents. DEQ will use the committee's discussions in forming its draft proposed rules for the Crater Lake ORW.

The rulemaking petition provides the proposed language for the Waldo Lake ORW. The proposed rules will be published for public review and comment as part of DEQ’s rulemaking process.

5. Membership

In convening this committee, DEQ selected members that reflect the range of stakeholders the proposed rules affect, both directly and indirectly. Representatives should be able to consider the policy, fiscal and economic impacts and benefits of the proposed standard on the business or organization they represent.

Advisory Committee Membership	
Committee Members	
Name	Affiliation
Rich Miller	PSU Center for Lakes and Reservoirs
Andy Schaedel	Oregon Lakes Association
Mark Riskedahl	Northwest Environmental Defense Center
Lynda Kamerrer	President of Oakridge/Westfir Chamber of Commerce
Kelley Minty Morris	Klamath County
Seth Barnes or Kristina McNitt	Oregon Forest Industries Council
Barry Girt	Volunteer with Friends of Crater Lake NP
Government Advisors	
Jennifer Gibson	Crater Lake National Park
Al Johnson	Willamette National Forest
Randy Jones	DEQ, Eastern Region Regional Solutions
Resource People	
Scott Girdner	Crater Lake National Park
Joy Archuleta	USFS Region 6
Sean Denniston	Crater Lake National Park
Duane Bishop	Willamette National Forest

6. Travel Expenses

DEQ is able to reimburse any in state, out-of-town committee members for travel expenses, if DEQ approves them in advance.

7. 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.

8. 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.

9. Public Involvement

All meetings will be open to the public. The committee can choose whether to allow public input during a committee meeting. DEQ may set aside time for the public to speak.

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 meeting.

10. DEQ Contacts

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