

DEQ Requests Comments on Petition to Designate Waldo Lake as an Outstanding Resource Water

DEQ invites the public to provide written comment on whether the Environmental Quality Commission should initiate rulemaking to designate an Outstanding Resource Water.

Summary

The Oregon Environmental Quality Commission has received a petition to designate Waldo Lake, located in Lane County, as an Outstanding Resource Water. The commission is scheduled to decide whether to deny the petition or direct DEQ to conduct rulemaking at their meeting on July 18-19, 2019. On behalf of the Environmental Quality Commission, DEQ is requesting comment on whether to deny the petition or initiate rulemaking proceedings.

In accordance with OAR 183.390(3), DEQ specifically requests comment on whether options exist to achieve the rule's goals with less negative economic impact.

The petition contains proposed rule language that designates the ORW and includes the water quality standards policy that would apply to protect these waters. If the Environmental Quality Commission directs DEQ to begin a rulemaking, the agency will proceed with a rulemaking process that will include a second opportunity for public comment on the proposed rule language.

Where can I get more information?

View the petition for rulemaking, the DEQ staff report and additional information online at <https://www.oregon.gov/deq/wq/Pages/WQ-Standards-ORWO.aspx>

Or for additional information, contact Aron Borok:

Phone: 503-229-5050

Email: borok.aron@deq.state.or.us

How do I participate?

You may submit your comments via email to waldolake2019@deq.state.or.us

Or by mail to:

Aron Borok

DEQ

700 NE Multnomah St.

Suite 600
Portland, OR 97232

DEQ will only consider comments it receives by 5 p.m. on June 3, 2019. DEQ will summarize and respond to those comments in a written report to the Environmental Quality Commission. In addition, the commission may accept verbal comment at its meeting. All comments submitted by the deadline stated in this notice become part of the public record.

Background Information on Rulemaking Petitions

Oregon law allows any interested person to request the promulgation, amendment or repeal of a rule. Administrative rules guiding this process are found at OAR 137-001-0070. The petition must provide proposed rule language and supporting information. The agency must either deny the petition or begin a rulemaking process within 90 days of receiving it.

Background Information on Outstanding Resource Waters

Oregon's water quality standards define three classifications of state waters: water quality limited, high quality and outstanding resource waters (ORWs). ORWs are high quality waters that have extraordinary or unique character or value, or are critical habitat areas, such that they constitute an outstanding state resource. The special water quality and ecological values of these waters shall then be protected in accordance with Oregon's antidegradation policy [OAR 340-041-0004(8)].

In addition to requesting designation of Waldo Lake as an ORW, the petition proposes rules to protect those waters.

What happens after the public comment period closes?

The Environmental Quality Commission may: 1) deny the petition, 2) direct DEQ to initiate rulemaking proceedings based on the rules proposed in the petition or 3) deny the petition, but direct DEQ to take some other action.



State of Oregon
Department of
Environmental
Quality

Water Quality

700 NE Multnomah St.
Suite 600
Portland, OR 97232
Phone: 503-229-5696
800-452-4011
Fax: 503-229-6124
Contact: Aron Borok

www.oregon.gov/DEQ
Search for "water quality standards"

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

In reviewing the petition, the commission will consider the following [ORS 183.390(3)]:

- (a) The continued need for the rule;
- (b) The nature of complaints or comments received concerning the rule from the public;
- (c) The complexity of the rule;
- (d) The extent to which the rule overlaps, duplicates or conflicts with other state rules or federal regulations and, to the extent feasible, with local government regulations;
- (e) The degree to which technology, economic

conditions or other factors have changed in the subject area affected by the rule; and
(f) The statutory citation or legal basis for the rule.

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.

Note for public university students:

ORS 192.501(29) allows Oregon public university and OHSU students to protect their university email addresses from disclosure under Oregon’s public records law. If you are an Oregon public university or OHSU student, you may omit your email address when you complete the online form to submit a comment.

