



Oregon Water Resources Department Rules Advisory Committee

General Operation Principles

I. PURPOSE AND ROLES

As part of the rulemaking process, the Oregon Water Resources Department (Department or OWRD) may establish a Rules Advisory Committee (RAC) before public notice to gather input when adopting, amending, or repealing a rule. The RAC consists of individuals and groups likely to be affected by a rule.

Input gathered from the RAC will be considered in the development of the rules to ensure they are equitable, practical, and consistent with the intent of the statute, as well as state and Department policy goals. Where relevant and necessary, the RAC process provides insights into developing informative rulemaking notices, assessing fiscal impacts, and evaluating compliance costs.

a. Duties and Responsibilities

RAC members agree to fulfill their responsibilities through attending and participating in meetings, studying available information, and contributing information and recommendations to the Department. Members agree to participate in good faith and to act in the best interest of the group and its charge.

Members acknowledge that the group's role is to provide information and recommendations to the Department, and that final rulemaking authority rests with the Director and the Water Resource Commission (Commission).

b. Membership

Membership is solely at the Department's and/or Commission's discretion. Membership is intended to represent a diversity of expertise, interests, skill sets, and viewpoints.

c. OWRD'S Role

In addition to facilitating meetings, Department staff will provide technical support, subject-matter expertise, and administrative assistance. Staff will strive to conduct meetings in a manner that ensures that all opinions are heard and considered. Staff will also seek to identify policy options that OWRD has authority to implement.

Members are strongly encouraged to speak with staff about concerns about the process, as well as any recommendations OWRD can implement to improve the rulemaking process.

II. OPERATING PROCEDURES

a. Protocols

All members agree to act in good faith in all aspects of the RAC process. This includes being honest and refraining from undertaking actions that will undermine the process, and includes behavior and communication outside of RAC meetings.

Expectations include:

- Members will try to attend all meetings. If a meeting is missed, the member is encouraged to watch the recorded meeting available online. Members may be represented by alternates with a minimum of 24-hours' notice to the OWRD staff contact. Members are expected to ensure that the alternate is current on information and any previous conversations, so that they can fully participate. The use of alternatives should be minimized.
- Members will participate fully by sharing their perspective on issues, concerns, and differing points of view. At the same time, members will respect time constraints and share speaking time with others.
- Members will be respectful at all times of other RAC members, OWRD staff, and the public audience. Members agree to listen to others and seek to understand different perspectives, even if they disagree, and to help find ways to address concerns.
- Members will listen to the range of perspectives shared by RAC members.
- Members will refrain from personal attacks, intentionally undermining the process, or publicly criticizing or misrepresenting positions taken by other participants. Reporting to constituents, the media, or other parties will focus on issues and not individuals. While not precluded from communicating with the media, participants should defer to OWRD for all media communications related to the RAC.
- Members will be mindful of these procedural ground rules in any written communications, including e-mails, blogs, and other social networking media, and maintain a respectful tone even when highlighting different perspectives.
- Members will send any e-mails or other electronic communications (e.g., social networking messages), that are meant for the entire group to OWRD staff for distribution to the group.
- Members will direct all requests for information to the OWRD staff contact.
- All participation in the process is voluntary and may be withdrawn. Before withdrawing, members agree to discuss the reason for their withdrawal with OWRD staff and, if appropriate, the other RAC members to provide an opportunity to understand the reasons for withdrawal and encourage continued participation.

b. Meetings and Records

Meetings are open to the public and recordings will be made available online.

All rulemaking records, including formal documents, rule drafts, meeting summaries and exhibits, meeting recordings, and communications, are public records and may be released in response to a public records request.¹

¹ "Communications" refers to all statements made during meetings, memoranda, work projects, records, documents, or materials developed, including social media and electronic mail correspondence as defined by ORS 192.410(4)).