From: HOOFF Rian
To: GOLDSTEIN Meyer
Subject: Re: ballast2016 - advisory committee schedule
Date: Wednesday, December 02, 2015 16:53:08

Since this first meeting was largely background information to bring all participants up to speed (and was recorded), will it be sufficient to rectify the problem by reading the fiscal at our next meeting and to ensure that more explicit public notice is made in advance?

Sent from my mobile - excuse any typos.

On Dec 2, 2015, at 4:24 PM, GOLDSTEIN Meyer <Goldstein.Meyer@deq.state.or.us> wrote:

> If you are using an established committee, it is not that they don't have to be appointed, it is that they already have been appointed. That requirement is met by using an existing committee.
>
> Regardless of the composition of the advisory committee, advisory committee meetings are public meetings that fall under the public meetings law and, by law, legally, in order to be legal and valid meetings, must be preceded by legally adequate notice to the public that the meetings will be occurring. There are additional requirements that must be met, such as having the meeting open to the public and recording the meeting, along with others, that must be satisfied to hold a legal advisory committee meeting. Another critical requirement is to have the advisory committee review the fiscal impact statement prepared for the rulemaking.
>
> See:
>
> <!--[if !supportLists]-->• <!--[endif]-->
> >http://deqsps/programs/rulemaking/SitePages/Hearings.aspx
> <!--[if !supportLists]-->• <!--[endif]-->
> >http://deqsps/programs/rulemaking/SitePages/Advisory%20committees.aspx
>
> Again, I depend on the schedule excel spreadsheet in order to know when I should check in with you about what events or actions are coming up in your rulemaking. I don't expect you to know all of the procedural requirements, but I use the schedule document to know when I should support your rulemaking by checking in with you to make sure procedural requirements are being met.
>
> Meyer Goldstein
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> ---
>
> **From:** HOOFF Rian

Sent: Wednesday, December 02, 2015 4:17 PM
To: GOLDSTEIN Meyer <Goldstein.Meyer@deq.state.or.us>
Subject: RE: ballast2016 - advisory committee schedule

I was under the impression that since we are using the (already established/appointed) Task Force membership as the basis for the AC that these steps were not required. I got that impression from the 1:1 meeting that we had in September, but let me know if I misunderstood your comments.

Rian

From: GOLDSTEIN Meyer
Sent: Wednesday, December 02, 2015 4:09 PM
To: HOOFF Rian
Subject: RE: ballast2016 - advisory committee schedule

-Did you provide public notice of the advisory committee meetings; if so, how
-Were your advisory committee members formally appointed through a letter signed by Dick?

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From: HOOFF Rian
Sent: Wednesday, December 02, 2015 3:57 PM
To: GOLDSTEIN Meyer <Goldstein.Meyer@deq.state.or.us>
Subject: RE: ballast2016 - advisory committee schedule

Hi Meyer,

According to my expectations, the schedule has not changed and is on schedule. If anything, I was originally aiming to hold our first meeting in mid/late November. Since the end of the legislative session last spring, it has been our intention to reconvene the STAIS Task Force as a rulemaking advisory committee in the latter part of 2015 (Nov-Dec). Within the detailed resources form that I filled out I indicated that the advisory committee work was slated for 4thQ 2015 and 1stQ 2016. If anything, I hope to be wrapping up the Advisory Committee process in Feb/March 2016 (we are estimating three meetings total). From my perspective this in in-line with keeping us on schedule to file draft rules in April/May.

I have no idea when or how the schedule spreadsheet was generated to reflect starting AC in Feb 2016 – either it auto populated based on something else I entered in upper portions of the spreadsheet (and I was unaware of the implications in lower drill down levels of the

spreadsheet) or these process dates detailed in rows 189-254 were entered by someone other than me.

Let me know what I need to do to rectify this inconsistency/mis-understanding.

Rian

From: GOLDSTEIN Meyer
Sent: Wednesday, December 02, 2015 11:02 AM
To: HOOFF Rian
Subject: ballast2016 - advisory committee schedule

Rian,

On the schedule template you had completed for this rulemaking it shows advisory committee meetings starting in February 2016. But it appears you are starting these meetings now. Am I correct that this schedule changed dramatically? If not, do you know why the original schedule document is wrong about the advisory committee meeting dates? Has the whole rulemaking schedule shifted?

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