



Noise 2024 Rulemaking Advisory Committee Charter

Date: March 21, 2024



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Objectives and scope

Policy objectives

This rulemaking is intended to update OAR 340-035-0035 (“The Noise Control Regulations for Industry and Commerce”) so that the wind specific provisions allowing for various modifications to the standard noise rules for wind energy facilities also apply to solar energy facilities. The objective is to streamline the process for obtaining a site certificate for solar energy projects in the same way and for the same reasons the rules were modified were wind projects.

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

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;
- 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

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 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; and
- Avoids representing to the public or media the views of any other committee member or the committee as a whole.

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, DEQ may allow time during the meeting for their comments.

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 support and website

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

The advisory committee charter, a full roster of the committee, meeting agendas, background materials, and meeting summaries will all be located on the [DEQ Noise Rulemaking](#) webpage.

Committee meetings

1. All committee meetings will be:
 - open to the public, although the committee can choose whether the public can actively participate in committee meetings
 - advertised on DEQ's webpage calendar two weeks before the meeting at: [DEQ Event Calendar](#)
 - noticed by [email](#) to the Rulemaking GovDelivery list
 - held remotely via Zoom
2. The committee is expected to meet once.
3. Meeting materials and agenda will be posted to the rulemaking webpage.

Decision making

The committee's discussions will be used by DEQ in forming its draft rule, which will then be proposed for broader public review and comment as part of DEQ's rulemaking process.

When DEQ shares information with the group, DEQ will allow a reasonable timeframe for comments.

Travel expenses

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

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 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.

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 in November 2024.

Rulemaking contacts

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