



Climate Protection Program 2024 Rulemaking

Advisory Committee Charter

Rulemaking Contact: Nicole Singh

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Objectives and scope

The primary purposes of the Climate Protection Program 2024 rulemaking are to:

- Re-establish a program to set limits on greenhouse gas emissions from significant sources in Oregon including large stationary sources, transportation fuels, and other liquid and gaseous fuels.
- Set an enforceable and declining limit, or cap, on greenhouse gas emissions from fossil fuels used in Oregon, including diesel, gasoline, natural gas, and propane beginning in 2025.
- Define regulatory applicability and program requirements.
- Prioritize equity by promoting benefits and alleviating burdens for environmental justice and impacted communities.

The intent of this rulemaking is to re-establish a climate program with comparable scope and emissions reduction ambitions as the previously adopted Climate Protection Program. DEQ staff do not intend to propose a major program redesign but will need to make some adjustments for the program to start in 2025. DEQ and stakeholders have also gained two years' experience implementing the CPP.

DEQ will consider additional modifications that would further strengthen the initial program. This could include opportunities to increase equitable outcomes or minimize costs to business and the public while supporting or strengthening emissions reductions. DEQ will also consider developments in state and federal climate and energy policies since the program was initially adopted.

Fiscal, economic and racial equity impacts

ORS 183.333 requires that DEQ ask the committee to consider the fiscal 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.

DEQ will also ask the committee to consider any racial equity and environmental justice impacts of the proposed rules.

Roles

DEQ facilitator

The facilitator will:

- Encourage robust dialogue while ensuring that all perspectives are heard.

- Ensure that the committee stays focused on the agenda and on intended outcomes of the meeting.
- Ensure that all members adhere to the process and operating rules.
- Facilitate comments and input from meeting attendees.
- Starts and ends the meetings and agenda items on time.

Committee members

Advisory committee members must attend each meeting to ensure continuity throughout the process. An alternate may be assigned if needed. Please inform DEQ of any assigned alternate by sending an e-mail to CPP.2024@deq.oregon.gov as soon as possible and no later than one week prior to each meeting. Please indicate if the alternate is for one meeting or multiple meetings. 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. While both the primary and alternate member can both attend meetings, only the primary will serve as the committee representative in those meetings. The alternate will participate as a member of the public. If a member's absence is unavoidable, please notify the DEQ rulemaking contacts at CPP.2024@deq.oregon.gov.

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 membership, constituencies, or communities, to inform them of 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.

Non-committee member attendees

The public is welcome to attend all RAC meetings. Each meeting will have time dedicated for receiving public comment. The public will also be able to provide written comments following each RAC meeting. See "After Committee Meetings" for additional opportunities for public comment in the DEQ rulemaking process.

DEQ staff and Facilitator

DEQ staff and its facilitator 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 members' roles, the committee timeline, the level of agreement expected and outlining next steps for upcoming meeting and further comment.

DEQ support and website

DEQ will release meeting agendas and meeting materials on the rulemaking webpage in advance of each RAC meeting. DEQ will endeavor to have materials posted a week in advance but acknowledges that this will not always be possible. DEQ will also post meeting comments received after each meeting. The advisory committee charter and committee roster are also posted on the rulemaking webpage: [CPP 2024 Rulemaking](#).

Committee meetings

The committee will meet three times between April and June of 2024. DEQ will release the meeting agenda and materials prior to each meeting. Meeting materials could include agendas, background materials, draft rule language, and presentation materials. Meeting dates and materials will be noticed via:

- Posting to the rulemaking webpage
- Posting on DEQ's webpage calendar
- Emails sent to those signed up for updates from GovDelivery lists including:
 - Greenhouse Gas Programs
 - Greenhouse Gas Reporting
 - Climate Protection Program
 - Third Party Verification Program
 - Clean Fuels Program
 - DEQ Public Notices
 - Rulemaking
 - Air Quality Permits
 - Title V Permit Program

The public is welcome to attend all committee meetings virtually with a call-in number also provided. While the meetings are designed to maximize committee members' discussion and participation, there will be a dedicated public comment period at each meeting.

- Sign up for updates [here](#).

Decision making

DEQ will not seek consensus from the committee, nor will the committee be asked to vote, on specific issues. The committee’s discussions will be used by DEQ in forming its draft rules, which will then be proposed for broader public review and comments as part of DEQ’s rulemaking process. The Environmental Quality Commission (EQC) is the rulemaking body that considers and adopts proposed rules. DEQ is responsible for proposing rules for EQC consideration.

Membership

In convening this committee, DEQ selected a committee that was large enough to provide diverse perspectives and represent affected parties and interested stakeholders, while allowing ample opportunity for members to engage. Members will provide DEQ with diverse perspectives on policy proposals, including environmental justice, fiscal and racial equity impacts of the program.

Advisory Committee Membership	
Name/Contact	Organization
Abbie Kresbach	Cascade Natural Gas Corporation
Alex Gallard	Pacific Propane Gas Association
Bill Gaines	Alliance of Western Energy Consumers (AWEC)
Carra Sahler	Green Energy Institute (Lewis and Clark)
Charity Fain	Community Energy Project
Chris Huiard	Space Age
Chris McCabe	Northwest Pulp & Paper Association
Ira Cuello Martinez	PCUN - Pineros y Campesinos Unidos del Noroeste
Jeremy Price	HF Sinclair
Jessica Spiegel	Western States Petroleum Association (WSPA)
Kyna Harris	Oregon Public Health Institute
Lisa Arkin	Beyond Toxics
Mark Bunch	bp America, Inc.
Mark Healy	Contractor to Coquille Indian Tribe
Mary Moerlins	Northwest Natural
Patrick Mills	Confederated Tribes of Umatilla Indian Reservation

Meredith Connolly	Climate Solutions
Mike Freese	Oregon Fuels Association
Nick Staub	Ed Staub & Sons, Inc.
Nora Apter	Oregon Environmental Council
Pam Barrow	Food Northwest
Ranfis Villatoro	BlueGreen Alliance
Sharla Moffett	Oregon Business & Industry
Shaun Jillions	Avista
Tim Miller	Oregon Business for Climate
Xitlali Torres	Verde

Public records and confidentiality

Committee communications and records, such as formal documents, discussion drafts, meeting summaries and exhibits are public records and will be publicly available. 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.

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 DEQ to the maximum extent possible which DEQ will then share with the rest of the committee members where appropriate. 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. Committee members should only send emails (and other communications) to DEQ and not the committee because including all members on an email could constitute a violation of Oregon's Public Meetings Law.

After Committee Meetings

Once the advisory committee meeting process is complete, DEQ will issue a Notice of Proposed Rulemaking. That will initiate a public comment period that will include 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 as well. 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 a late 2024 meeting.

DEQ contacts

Primary Contact:

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CPP.2024@deq.oregon.gov