



Onsite Wastewater Management Program 2025

Advisory Committee Charter

Rulemaking Contact: Kyle Nelson



Translation and other formats

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Objectives and scope

This rulemaking will update Oregon Administrative Rule, Chapter 340, Divisions 71 and 73. Legislature recommended topics for rulemaking include Accessory Dwelling Units (SB 835) and sewer availability (SB 931). Additional items include housekeeping edits to clarify rules, use of plain language, removing outdated terms or rules, and modernizing, clarifying, and enhancing existing rule language aimed towards alignment with industry standards and public and environmental health protection. Furthermore, the rulemaking may include provisions to enhance the efficiency of DEQ's rules around for cause variances and the variance denial appeal process, improve DEQ's rules for implementing and managing the Operation and Maintenance sub-program, and address nitrate loading and treatment in sensitive areas. This rulemaking will not include any fee increases; however, the scope of the rulemaking includes consideration of an expansion of uses of the already established compliance recovery fee.

Policy objectives

The intent of this rulemaking is to address sewer availability and ADU issues prompted by bills enacted by the 2023 Legislature, and to generally modernize, clarify and improve program rule language, including enhancing environmental protection in high-risk areas. The last substantial onsite program rule changes occurred in 2014.

Fiscal, economic and racial equity impacts

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.

ORS 183.333 (a)(F) requires agencies to provide a statement identifying how adoption of the rule(s) will affect racial equity in Oregon. To aid in crafting this statement DEQ will ask the committee to provide input on this question.

Roles

DEQ Member Roles for Onsite 2025		
Role in project	Project Team Member	Contact info
Sponsor	Jennifer Wigal	jennifer.wigal@deq.oregon.gov 503-535-9763
Project manager / DEQ Facilitator	Kyle Nelson	kyle.nelson@deq.oregon.gov 503-781-7376
Team member / Program manager	Sean Rochette	sean.rochette@deq.oregon.gov 541-633-2036
Team member	Randy Trox	randall.trox@deq.oregon.gov 541-687-7338
Team member	Kiley Clamons	kiley.clamons@deq.oregon.gov 541-241-0120
Advisory	Rian Hooff	rian.hooff@deq.oregon.gov 503-229-5988

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
- 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 in order 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
- 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
- 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 advisory committee website at least one week in advance. DEQ administrative staff will provide meeting summaries that highlight committee discussions, different perspectives and input of committee members. DEQ will not prepare a formal committee report. DEQ will send draft meeting summaries to the advisory committee for review and input. Final meeting minutes will be posted to the advisory committee website and will be part of the public record.

The advisory committee charter, a full roster of the committee, meeting agendas and minutes, and background materials will all be located on the advisory committee web page.

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 Onsite Wastewater Management Program GovDelivery list
 - Held virtually on Zoom
 - Accessible via a call-in number or webinar
2. Meeting materials and agenda will be posted to the advisory committee web page.

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.

Membership

In convening this committee, DEQ selected members that reflect the range of stakeholders the proposed rules affect, both directly and indirectly. Representatives should be able to consider the policy, fiscal and economic impact of the proposed standard on the business or organization they represent.

Advisory Committee Membership	
Name	Affiliation
Amy Pepper	City of Wilsonville
Brian Rabe	Elkhorn Consulting
Todd Cleveland	Deschutes County
Kevin Riddle	Sweet Water Sanitation LLC
Sheryl Ervin	Infiltrator Water Technologies
Peggy Lynch	League of Women Voters of Oregon
Lucas Marshall	Clatsop County
Nicholas Peasley	Oregon Association of Realtors
Lisa Rogers	Casa of Oregon
Michelle Miranda	City of Eugene representing League of Oregon Cities

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 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.

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.

DEQ contacts

Primary contact:

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Alternate contact:

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