

State of Oregon  
Department of Environmental Quality

Memorandum

**Date:** Sept. 19, 2016

**To:** Environmental Quality Commission

**From:** Pete Shepherd, Interim Director

**Subject:** Agenda item B, Discussion and action item: DEQ director recruitment process  
Sept. 21, 2016, EQC special meeting

**Why this is important** The commission issued draft recruitment language and a proposed timeline for finalists on Sept. 7, 2016. Per state law and procedures for hiring the DEQ director, the commission must solicit public input on these materials prior to issuing final versions and beginning a recruitment process. During this item, commissioners will review the comments received on the draft recruitment language, make changes as appropriate and take action on next steps.

**Background** The Oregon Environmental Quality Commission is the body responsible for hiring DEQ's director. The commission has entered into an agreement with EFL Associates, an executive search firm, to operate a recruitment effort.

The special meeting on Sept. 21, 2016, is the next step in the recruitment process. Representatives from EFL Associates will attend to discuss the proposed recruitment language and timeline as issued for public comment Sept, 7, 2016, public comments and other feedback received and to propose final language and next steps for commission consideration.

**DEQ recommendation and EQC motion** DEQ recommends that the Oregon Environmental Quality Commission:

- Approve the minimum requirements and desired criteria for the director's recruitment announcement, as revised following public comment and commission discussion at the Sept. 21, 2016, special meeting
- Authorize EFL Associates, in cooperation with the Oregon Departments of Administrative Services and Environmental Quality, to issue the approved recruitment materials for a period of time to be determined by the commission

**Attachments** A. Draft recruitment language and timeline as posted Sept. 7, 2016

*Report prepared by Stephanie Caldera, from agency information*

**The commission requests your comment related specifically to qualifications and desired attributes, as revised at a special meeting Sept. 6, 2016.**

***Those sections are excerpted, below, with the revisions made September 6. They are also shown, in the previous form, as part of the full posting on pages two and three.***

**QUALIFICATIONS, REQUIRED & REQUESTED SKILLS:**

Minimum Qualifications:

- Demonstrated successful management experience, ideally eight years or more, in an organization of similar complexity, size and scope to DEQ and related to natural or physical sciences.

Education requirements:

A Bachelors' degree from an accredited institution is required, ideally focused on natural or physical sciences or a related field of study. Though not required to apply, a Master's degree in a science- or technically-related field of study, such as a JD or MPA, is preferred.

*Candidate profile:*

*The successful candidate will ideally bring over 15 years progressively responsible post baccalaureate work experience in organizations focused on natural resources, environmental sciences or related fields.*

**DESIRED ATTRIBUTES:**

- Leadership or management experience at an agency or regulatory department of similar complexity, size and scope to DEQ.
- Experience in environmental or public health regulatory oversight, including enforcement of rules, laws and statutes.
- Knowledge of modern management practices and principles.
- Strong written and oral communication skills with diverse, influential audiences.
- Experience with public engagement and outreach.
- Experience forming collaborative and productive partnerships with a diverse set of stakeholders and staff.
- Knowledge of, or experience in, developing and implementing outcomes-based health policy and regulatory standards
- Knowledge of the principles of environmental justice and experience in applying those principles
- Experience in the development, implementation and evaluation of strategic organizational goals, plans and policies, including budgetary and legislative considerations.

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### **Director, Oregon Department of Environmental Quality**

The Department of Environmental Quality has an exceptional opportunity for an experienced leader to serve as our next Director. The Director reports to, and is selected by the Environmental Quality Commission (EQC), a volunteer five-member policy and administrative commission appointed by the Governor. Informally, the Director also reports to the Governor, through the Governor's Natural Resources Policy Advisor. This is a permanent, full-time, executive service position located in Portland, Oregon. If you are hired, you will become part of the State's Executive Service team.

### **Oregon Department of Environmental Quality**

The mission of the Department of Environmental Quality is to be an active leader in restoring, enhancing and maintaining the quality of Oregon's air, water and land. The Department has approximately 650 positions and a budget of \$300 million dollars. DEQ is responsible for protecting and enhancing Oregon's water and air quality, for cleaning up spills and releases of hazardous materials, and for managing the proper disposal of hazardous and solid wastes. DEQ staff use a combination of public outreach, technical assistance, permitting, inspections, and enforcement as tools to help public and private facilities and citizens understand and comply with state and federal environmental regulations. The DEQ staff includes scientists, engineers, technicians, administrators, and environmental specialists, among others. The agency's headquarters office is located in Portland with regional administrative offices in Eugene, Bend and Portland; and field offices in Bend, Coos Bay, Medford, Pendleton, Salem, and The Dalles. DEQ's laboratory in Hillsboro monitors the quality of Oregon's air, water and land statewide. In addition to local programs, the Environmental Protection Agency (EPA) delegates authority to DEQ to operate federal environmental programs such as the Federal Clean Air, Clean Water, and Resource Conservation and Recovery Acts.

### **The Director of DEQ:**

The purpose of this job is to administer and enforce laws regulating air, water, and land pollution; administer authorities delegated by the U.S. Environmental Protection Agency (EPA) including the Clean Air, Clean Water and Resource Conservation and Recovery Acts; administer state statutes including solid waste management, recycling, and environmental cleanup; serve as a member of the Governor's cabinet; and assist Assistant to the Governor for Natural Resources in efforts to coordinate Natural Resource Agencies.

Program Administration/Direction- Program responsibilities include directing the development and implementation of the Department strategic plan and performance measures; overseeing development of agency rules to assure compliance with state/federal laws and regulations, for approval by the EQC; monitoring state and federal legislation; negotiating contracts with EPA to carry out federal environmental programs and ; enforcing environmental laws of the state, and of the federal government where delegation has occurred, including levying civil penalties and seeking voluntary cooperation; and administering the directives of the Commission.

Agency Management/Administration- Develops the agency biennial budget request that implements the agency's strategic planning goals and presents it to the Legislature. Implements and manages, the agency legislatively-approved budget. Maintains knowledge of environmental issues locally and nationally, and in sufficient technical depth, to allow for reasoned policy and administrative rules recommendations to the EQC. Provides guidance and leadership to DEQ management and staff. Provides direction and directs the implementation of agency affirmative action plans, employee safety activities, and other plans to attract, retain, and manage a diverse, well-trained work force.

External/Outreach- Anticipates issues and maintains rapport with the Oregon Legislature, Oregon's Congressional Delegation, editorial boards of newspapers in Oregon, directors of state and federal agencies, and special interest groups to assure DEQ success in receiving support and resources for environmental programs. Promotes awareness of environmental issues and agency programs to the public and the regulated community through public informational meetings, public hearings, and the media. Reports regularly to the Chairman of the EQC, and meets regularly with other natural resource agency directors, and Governor's Natural Resources Policy Advisor and reports, on appropriate topics, to the Director of the Dept. of Administrative Services.

Supervision- Plans, assigns and approves work, including developing, implementing and updating position descriptions and work plans. Prepares annual performance appraisals; recommends appropriate personnel actions. Disciplines and rewards staff according to policy and collective bargaining agreement. Directs the investigation, responds and facilitates resolution of grievances and complaints. Directs the management of recruitment in interviewing, reference checking, and makes hiring decisions in accordance with agency policy, goals and programs such as affirmative action, injured worker, and employment laws. Evaluates and implements unit training needs to ensure staff are prepared to perform assigned duties including evaluation and creation of opportunities for staff development. Handles personnel issues expeditiously according to procedures and collective bargaining agreement.

#### **QUALIFICATIONS, REQUIRED & REQUESTED SKILLS:**

Minimum Qualifications:

- At least eight years of management experience related to environmental sciences, or a related field.

*Education requirements:*

*A Bachelors degree from an accredited institution is required, a focus on Environmental Sciences is preferred but not required to apply. Though not required to apply, a Master's degree in a science or technically related field of study, a JD, or MPA, etc is preferred.*

*Candidate profile:*

*Ideally an individual whose professional background has demonstrated over 15 years experience post baccalaureate work experience, with increasingly greater roles of responsibility and a commitment to the environment that has focused on Natural Resources, Environmental Sciences or related fields.*

#### **DESIRED ATTRIBUTES:**

- Leadership/Management experience leading an agency or regulatory department of similar size and scope to DEQ.
- Experience in environmental regulatory oversight, including enforcement of rules, laws and statutes.
- Knowledge of modern management practices and principles.
- Strong written and oral communication skills with diverse, influential audiences.
- Experience forming collaborative and productive partnerships with a diverse set of stakeholders and staff.
- Experience in the development, implementation and evaluation of strategic organizational goals, plans and policies.

Only the candidates whose experience meet the minimum qualifications and most closely match the desired attributes will be contacted for initial screening interviews.

## Draft of final interview and selection process for DEQ director recruitment

All meetings of the Commission as a decision-making body will occur in open session except for segments that may be conducted in executive session. Segments eligible for executive sessions are designated by *italics*.

### **Step 1 (In the weeks after recruitment closes and before the Commission meets on Day 0):**

- The members of the Commission's subcommittee, by telephonic interview and other processes as its members feel are required, interview or further consider the candidates and then, acting independently, individually convey to the Commission the names of candidates whom the individual subcommittee member believes should be treated by the Commission as finalists.
- DEQ will, on behalf of the Commission, consult with stakeholders (broadly defined) to solicit a series of questions to be posed to each candidate during the final selection process.
- DEQ will recruit a state agency leadership/peer group interview panel.

***Step 2 (Day 0): Preliminary designation of finalists, subject to background checks:*** *The Commission, in executive session at a regular or special meeting, determines which candidates will be considered finalists, subject only to the contingency that the candidate pass a background check.*

**Step 3 (Day 1 - 14): Background checks conducted.** DEQ and DAS complete background and reference checks on the finalists.

**Step 4 (Day 15): First public release of finalists' names.** The Commission makes a public announcement of names of finalists. The Commission encourages Oregonians to participate through public engagement process described below.

**Step 5 (Day 15): Stakeholder questions disclosed.** DEQ broadly disseminates to the public the final questions DEQ has derived from stakeholder consultations.

**Step 6 (Day 15): Written questions posed to finalists.** DEQ transmits the questions to each finalist with instructions to: (a) Create written answers for hand-delivery to the commission as part of the final interview process, and (b) Be prepared to discuss the questions orally with the public during the community engagement process interviews.

**Step 7 (Day 28): Interview Day In Salem.** Events include public engagement interviews, meetings with the state agency leadership/peer group body and meetings with DEQ's Executive Staff and others identified by the commission. None of these activities would be convened as a Commission meeting, but at least one commissioner would attend each event as a nonparticipating observer. Finalists will travel to Salem for four events:

**A. Public engagement interviews (8:30 - 12:30):** Interviews, each overseen by a moderator/facilitator and each attended by a different individual member of the EQC, will be conducted simultaneously in as many separate rooms as there are finalists. If there are three candidates, each will start in one of the rooms designated as A, B, or C. Interviews will last for 60 minutes. The agenda for each interview: The facilitator will present the previously distributed stakeholder questions for oral response by the candidate. Members of the public choosing to attend may submit additional written questions to the facilitator. The facilitator will, in any time remaining after the finalist has answered the pre-selected questions, put additional questions to the finalist from among the questions posed by the attending public. At the end of 60 minutes, the finalist who started in Room A will go down the hall to Room B, B to C, and C to A. The process is completed in the same way for each rotation. At the end of the final 60 minute rotation, members of the public who participated would be asked to complete and submit to DEQ a paper or electronic report of the participant's perspective.

**B. Working lunch (12:30 - 2:00):** All finalists have joint lunch and informal discussion with state agency leadership/peer group interview panel and one member of the EQC. The EQC member is designated as the reporter to the full EQC of the leadership/peer group's insights.

**C. DEQ Executive Staff interviews (2:30 – 3:30):** DEQ Executive Staff and one member of the EQC meet the finalists individually for brief interviews. The EQC member is designated as the reporter to the full EQC of the DEQ Executive Staff's insights.

**D. Governor's Office (3:45 - 5:00):** The Governor's staff would organize this time in whatever way they desire.

**Step 8 (Day 29): First day of two-day Commission Special Meeting:** The commission convenes for the first day of a two-day meeting in Portland.

8:30 – 10:00: The Commission receives reports from individual EQC members who attended the state agency leadership/peer group interview panel, the DEQ Executive Staff meeting, and each of the public engagement "round robin" meetings. The Commission also receives a report from DEQ staff based on the written feedback solicited from participants in the "round robin" meetings.

8:30 – 9:30: Representatives of the union representing DEQ's employees meets with the finalists, organizing the time however the group wishes.

10:00 - 11:30: Commission takes public testimony, including from the union.

11:30 - 1:00: Lunch.

*1:00 - 5:00: In executive session, the commission meets individually with each finalist. After these interviews are complete, candidates would be able to return home, having spent two very full days in the interview process.*

**Step 9 (Day 30): Second day of Commission Special Meeting:** *In executive session, the commission concludes its evaluation of finalists.*

Following the executive session, the commission convenes in open session for final discussion and for the final selection by majority vote of the Commission.