

Meeting Summary CAC Public Participation Committee October 1, 2014

The Public Participation Committee met by conference call on October 1, 2014 which was attended by Terry Dayton, Bill Fink, John Walliser, David Hess, Hayley Book, DEP, and Michele Tate, CAC Executive Director.

The purpose of the call was to discuss the results of the survey the Committee conducted to improve public participation in the development of regulations and technical guidance for the Department through its Advisory Committees. The survey also solicited suggestions from Advisory Committee members on improving the [1998 Advisory Committee Guidelines](#).

Review Of Survey Responses

The survey was sent to the Chairs of 22 DEP Advisory Committees on August 25 requesting a response by September 19. 15 Advisory Committees responded to the survey as of the date of the conference call. There were five questions on the survey--

- How could DEP make better use of the expertise on your Advisory Committee?
- Does your Advisory Committee receive feedback from DEP when it provides comments to the agency?
- How well is your Advisory Committee being supported by DEP, including timely notice of meetings, distribution and posting of meeting handouts, reimbursement for expenses?
- What comments do you or your advisory committee have on DEP's Advisory Committee Guidelines policy (1998)?
- What does your Advisory Committee believe are its most significant accomplishments or where does your Advisory Committee believe it has made its most significant impact?

Overall the responses to the questions about DEP's use of the Committees, feedback received from DEP when Committees did offer comments and the support received by the Committees was very positive.

The Committees felt they were being listened to by DEP, received feedback from the agency about their comments and thought they received meeting information and handouts and other support from DEP staff in a timely manner.

Each of the Committees pointed out one or more significant accomplishments the Committees had working with the Department.

A summary of the responses from each Advisory Committee and their accomplishments was prepared by Michele Tate and is available for review by Council and the public in addition to this report.

A number of Advisory Committee Chairs made recommendations for improvements, including: the Sewage Advisory Committee, the Environmental Justice Advisory Board, the Solid Waste Advisory Committee, Small Water System Technical Advisory Board, Oil and Gas Advisory Board and the Climate Change Advisory Committee.

- Among their recommendations were--
- Provide Advisory Committees with a clear expectation of their role and responsibilities and what they could expect to do and not do, as the Advisory Committee Guidelines require.

- Requested to be involved earlier in the process of developing regulations and policies, even if it was just concepts or background information on the issues the Department was trying to address.
- Make sure meeting information and materials were sent to Committee members and posted on the agency's website at least two weeks prior to a meeting as the Advisory Committee Guidelines require.
- Provide consistent and more specific guidance on the Sunshine Act requirements for giving the public notice and an opportunity to participate in subcommittee, workgroup meetings and conference calls among Advisory Committee members.
- Include higher-level Department staff in Advisory Committee meetings so they can talk directly to decision-makers.

Review Of Advisory Committee Guidelines

Members of the Public Participation Committee offered many of the same comments as Advisory Committee Chairs during our own discussion of the 1998 Advisory Committee Guidelines.

Overall, the Committee felt the Guidelines were well thought out and have withstood the test of time.

Committee members also pointed out issues related to adequate Sunshine Act notice for subcommittee, workgroup meetings and conference calls, clarifying the roles and responsibilities of each Advisory Committee, possibly annually, timely posting and delivery of meeting materials in accordance with the Advisory Committee Guidelines, standardizing the method of reporting comments from Advisory Committees to the Environmental Quality Board, making sure the Advisory Committee Guidelines apply to Regional Office Roundtables and having a standard policy for catering Advisory Committee lunches.

Committee members noted several instances where the Guidelines needed to be updated, for example: to include the most recent Management Directives, eliminating the reference to the Deputy Secretary for Federal-State Relations since there is no position like that anymore and including a public comment period at each Advisory Committee meeting in compliance with a more recent statute.

Recommendations

The Public Participation Committee recommends to Council the following interim report on its review of the Advisory Committee Guidelines and from its survey of Advisory Committee Chairs, pending further discussions with Advisory Committee Chairs at the October 21 Council meeting--

Overall the responses to the questions about DEP's use of the Advisory Committees, feedback received from DEP when Committees did offer comments and the support received by the Committees was very positive.

The Committees felt they were being listened to by DEP, they received feedback from the agency about their comments and thought they received meeting information and handouts and other support from DEP staff in a timely manner.

Committees were generally proud of their accomplishments in working with DEP on important issues.

The Public Participation Committee recommends to Council that the Department take these steps to improve the use of Advisory Committee advice and revise the Advisory Committee Guidelines accordingly--

1. Provide Advisory Committees with a clear expectation of their role and responsibilities and what they could expect to do and not do as the Advisory Committee Guidelines require on an annual basis.
2. Involve Advisory Committees earlier in the process of developing regulations and policies, even if it was just concepts or background information on the issues the Department is trying to address.
3. Make sure meeting information and materials are sent to Committee members and are posted on the agency's website at least two weeks prior to a meeting as the Advisory Committee Guidelines require.
4. Provide specific and consistent guidance to Advisory Committees on the Sunshine Act requirements for subcommittee, workgroup and conference calls meetings.
5. Include higher-level Department staff in Advisory Committee meetings so they can talk directly to decision-makers.
6. Apply the Advisory Committee Guidelines to the Regional Office Roundtables.
7. Standardize the information posted on each Advisory Committee webpage to include a current list of Advisory Committee members, their contact information and DEP staff liaison to each Committee along with their contact information.
8. The Guidelines need to be updated to keep them current with newer statutes and the Department's organizational structure, for example: include a public comment period at each Advisory Committee meeting in compliance with a more recent statute; eliminating the reference to the Deputy Secretary for Federal-State Relations since there is no position like that anymore; and include the most recent Management Directives referenced in the Guidelines.