

MEETING RECORD

final

October 19, 2005

9 - noon, DCBS, Salem, Conference Room A - basement

Members Present:

Pat Allen, RSL
Kirk Jarvie, DSL
Laura Leshar, Project Manager, RSL
John Lilly, DSL
Patty Snow, ODFW
Christine Svetkovich, DEQ
Jenny Carmichael, Carmichael Consulting

Members Absent:

Debbie Colbert, Water Resources
Kim Grigsby, Water Resources

Intermittent Members Present:

None

Guests:

None

Intermittent Members**Not Present:**

Jas Adams, Attorney
General's Office
Dale Blanton, DLCD
Jon Germond, ODFW
Jim Johnson, ODA
Gary Lynch, DOGAMI
Vicki McConnell,
DOGAMI
Bill Ryan, ODOT

1. **Approval of Prior Meeting Record.** The record of the October 5 meeting was approved.

2. **Updates.**

Pat Allen reported that he spoke with Michael Carrier earlier in the morning about the WRPPIT project. Michael is very supportive of the work the team has done to date and will be attending the Directors Update on October 26. He supports the stakeholder Advisory Committee consisting of 2-3 people from each cluster. Pat will be following up with Susan Morgan to ensure the direction regarding DOGAMI is on track. Pat will also be touching base with Senators Schraeder and Bates, Representative Ringo, and Sandy Tiele Circa who is the Committee Administrator for the House Water Committee. The team is invited to present learnings from the customer service trainings at an upcoming Natural Resources Cabinet meeting. If there are any barriers that arise during the upcoming work on the redesign and MOU that Michael can help with the team just needs to ask.

Christine Svetkovich has been promoted to Water Quality Policy Analyst for DEQ's Water Quality Division.

Customer Service trainings have been going very well. Staff who attended have sent e-mails to the presenters that it has revitalized them in their work.

3. **Check-in: Assignments for Today's Meeting**

Assignments were reviewed for completion.

30. **Deliverable A – Project Management.**

a. DOGAMI Budget Note Deliverables. The team discussed the DOGAMI write-up and recommended some clarifying changes. Please see Attachment A for proposed edits. Jenny will follow-up with

Vicki McConnell and Gary Lynch from DOGAMI and with Pat Allen regarding the proposed changes. Jenny will also ask Vicki to provide information that will allow Kirk to correlate projects that received both a DOGAMI operating permit and a removal-fill permit.

- b. **Directors Update.** The team reviewed the draft Directors Update and made some modifications. Laura will send the final document to the Directors on Friday, October 21. Pat Allen will give a short summary of the team's work to date and then open it up for questions from the directors. The meeting is scheduled from 8:30 – 9:15 on Wednesday, October 26 at DCBS, Conference Room A.
- c. **32 RFPIT Recommendations.** The team reviewed a remaining list of nine recommendations from the RFPIT effort in the spring of 2005 to determine if they would be addressed as part of the planned deliverables or whether additional work would be required. Please see Attachment B for the team's conclusions.

30. **Deliverable J – USERS GUIDE.** Kirk handed out a list of “Guiding Principles” for the USERS GUIDE that had been discussed by Kirk, Christine, and Patty on October 19 just prior to the WRPPIT meeting. Please see Attachment C. The following points were highlighted:

- “fit in a pocket” - this may conflict with the overall objective of providing complete information. Likely to be used as a desk reference.
- “paper-based document” – may want to distribute on a cd.

Kirk, Christine, and Patty are envisioning two tiers of the USERS GUIDE:

Tier One: DEQ, DSL, ODFW, and Water Resources - will be the definitive source of information.

DLCD? OPRD (SHIPO)?,

Tier Two: DOGAMI, ODA, Forestry – will refer USERS to these websites.

Potential issues for the team to address include: document management, professional assistance for layout and design and when that assistance should begin. Several groups may be approached to provide financial assistance.

Jenny handed out a guidance document template for the USERS GUIDE. Kirk will prepare a draft to be discussed at a future WRPPIT meeting.

- 30. **Deliverable H – Process Redesign.** The team talked briefly about moving forward with the process redesign work beginning November 9. The core team will begin the work and ask for comments from DLCD, OPRD (SHIPO), DOGAMI, ODA, and Forestry.
- 7. **WRPPIT Meeting Schedule.** Because Wednesday mornings are turning out to be a difficult time for Water Resources staff Laura will check in with team members for better meeting dates through the end of the year.
- 30. **Deliverable B – Stakeholder Involvement.** Follow-up on the meetings with stakeholders and

consultants will be discussed at the next meeting.

30. **Deliverable C – Measure Project Impact.** Jenny handed out a draft “Project Impact Measurement Plan” which included a draft customer survey. The team will review it for discussion at the next meeting.

30. **Meeting Wrap Up**

Next Meeting: October 26 in Salem.

Assignments for the next meeting will be circulated by e-mail.

Discussion Paper
Oct 18 draft with 10/19 WRPPIT Edits
Potential DOGAMI related Deliverables

Relationship of DOGAMI work processes to WRPPIT

The following provision was added to the 05-07 budget of the agencies named in the note:

*The Department of Environmental Quality, **the Department of Geology and Mineral Industries**, the Department of State Lands, the Department of Fish and Wildlife, the Department of Land Conservation and Development, and the Water Resources Department will work with the Office of Regulatory Streamlining on one or more projects to **streamline the delivery of water-related permitting programs and projects including water-related permitting associated with removal/fill projects and on permitting associated with aggregate mining activities.** [emphasis added]*

The agencies will report back on their plans and progress to the Joint Legislative Audit Committee not later than April 30, 2006 and December 31, 2006. To the greatest extent practical, the Office of Regulatory Streamlining will involve the co-chairs of the Joint Legislative Audit committee, or their designees, in any work group activities needed to implement this budget note.

The steps involved to obtain a DOGAMI Operating Permit (DOP) are displayed in Attachment A. The process steps involved to obtain a Removal-Fill Permit are displayed in Attachment B.

A DOP may also require the following WRPPIT related [permits requirements](#)*:

- DSL Removal-Fill Permit
- DOGAMI 1200a General Stormwater Permit (on behalf of DEQ through a memorandum of understanding)
- Water Right Determination by DOGAMI (on behalf of Water Resources – statutorily authorized)
- 401 Water Quality Certification
- Coastal Zone
- ODFW Comments [as well as fish passage waivers and in-water blasting and scientific-take permits](#)
- Forestry Practices Act
- ODA Concurrence for a 1010 Plan – if ultimate use is agriculture

*This does not include required local and federal permits.

Approximately 50% of the DOGAMI Operating Permits are sent to DSL for a Removal-Fill Permit. Many of the same additional [permits requirements required](#) in a DSL Removal-Fill permit are also [required](#) conditions of a DOGAMI permit – water right, ODFW comments, coastal zone, etc. DSL’s agency involvement process is almost identical and may be a complete repeat of the DOGAMI agency involvement process. Other redundancies can occur at step 1 – submit application, and step 2 – pre-application conference of the DOP process.

Potential DOGAMI Related Deliverables

The Water Related Permits Process Improvement Team (WRPPIT) in an October 5 discussion with Vicki McConnell and Gary Lynch of DOGAMI, identified several deliverables that could potentially address the DOGAMI aspect of the budget note. These are listed below:

- ~~1. Streamline the DOP process for at least the DOPs that require a Removal-Fill Permit. Address duplicate aspects of both processes.~~
- ~~2.1. Examine streamlining solutions adopted by WRPPIT²s for possible application to the DOP process. In particular look at:
 - ~~a. Streamlining the DOP process for at least the DOPs that require a Removal-Fill Permit. Address potential duplicate process steps (not jurisdictional authority). Examine step 1 (submit application), step 2 (pre-application conference), and step 6 (review and comment) in particular.~~
 - ~~a-b. Strategies for being clearer at the beginning of a project as to whether and how a project can get to YES,~~
 - ~~b-c. Strategies for transitioning to a consolidated permit system, and~~
 - ~~e-d. Strategies addressing the difficulty of responding to agency ODFW comments that are not clear permit requirements during the permit process.~~~~
- ~~3.2. Identify streamlined aspects of the DOP that could be considered during the WRPPIT process redesign. For example – DOP does not require a totally new application if only one page of many pages is incorrect.~~
- ~~4.3. Examine opportunities for more one-stop shopping in the DOGAMI Operating Permit Process, e.g. air quality. This effort would be an entirely separate project from WRPPIT, except that the effort would be reported to the Audit Committee. The work could involve creating new memorandums of understanding with appropriate agencies.~~

The response to the DOGAMI aspect of the budget note will not involve the issues that are the focus of the 2004-05 Aggregate Mining/Farmland Protection Consensus Process convened by the Oregon Consensus Program at the request of the Governor. “The purpose of the Consensus Process is to develop a recommended policy for the state in regard to siting and regulating aggregate mines on farmlands, within the context of the long-term demand for aggregate and the availability of other aggregate resources. Considerable data has been compiled and presented to the group regarding aggregate mining and farmland issues by the Institute for Natural Resources at Oregon State University. The Consensus Group met as a whole seven times in 2004, and agreed to continue working together to develop consensus recommendations and not to request the 2005 Legislature to address any related individual issues. The process will resume following the Legislative Session. The group is looking at various options to address the issues that have been identified.” (Source: Oregon Consensus Program Website)

REMAINING MAY, 2005 WRPPIT 32 RECOMMENDATIONS - wrppit action on October 19

Attachment B

Recommendation	Statutory or rule changes?	By when?		OCT	APR	JUN	STUDY FURTHER	PART OF THIS WRPPIT DELIVERABLE	This is the Deliverable	Building Block of the Deliverable?	Part of the Redesign?
	NON ANTICIPATED	RULE CHANGES	STATUTE AND RULE								
4. Provide consistent structure for agency comments.	■			■				Redesign		Yes	Yes
7. Develop an effective process measurement system.	■			■				Begin with the WRPPIT Project Impact Measurement Plan	Yes		
10. Increase the use of applicant pre-application conferences.	■			■				Redesign		Yes	Yes
11. Allow applicants to call for interagency meetings to discuss complex projects.	■			■				Redesign		Yes	Yes
17. Evaluate wetland delineation		■			■			DSL will address.	Yes		

requirements to improve user-friendliness.											
22. Create a connection to the federal process so project changes are consistent with state approvals.			■			■		Redesign		Yes	Yes
23. Develop a web-based Comprehensive Project Tracking System.			■			■		Follow-On Task to Super-Application	Yes		
25. Provide early assistance to identify waterway and wetland jurisdictional boundaries.						■		Redesign		Yes	Yes
30. Create more General Authorizations to address appropriate problem areas.						■		DSL will address.	Yes		Yes

Guiding Principles for User's Guide

Draft 10-18-05

Audience: Guide User is defined as applicants, consultants, agencies' current staff, and new staff (for training purposes)

Guide Look & Feel

- Guide will first be developed as a paper-based document but with consideration to going e-based over time
- Guide will be easily updatable
- Guide will be able to fit in a pocket, tabbed and recycled content
- Guide will be simple to use, pragmatic. Guide will not be glossy/slick.
- Guide will make significant use of visuals.

Guide Content

- Guide will reflect the current "is" state of water related permitting in OR
- Guide will address in-water permits and associated reviews/consultations. Guide will not include ODA or DOGAMI upland permits.
- Guide should provide info at 3 levels:
 - Guide must have a global element: why water-related permitting/why important; who is involved and what is their role; inter-relationship of agencies in water-related permitting.
 - Guide must cover basics for each agency's program: agency's water-related mission, agency's trigger; overview of agency requirements; timeliness/process flowchart, key considerations for getting to "yes"; agency contacts
 - Guide should provide for specific project types: tools, guidance, practical suggestions and resources for design
- Guide will address RF process from delineation to enforcement/monitoring (process from cradle to grave)

Principles for Guide Development:

- Working group (Kirk, Lori W-D, Patty, Christine) will convene regularly to define product structure, define and execute discrete assignments
- A stakeholders focus group will be convened to vet draft products

Some global questions:

- Geared toward frequent filer, first-timer, both?
- Will guide be predicated upon RF permit as the nexus or more like OWEB guide?
- How to make document web searchable?
- Develop/issue basic user's guide for which detail can be added in over time or tackle all now?

K:\Policy\Kirk\Guiding Principles for User.doc