



State of Oregon
Department of
Environmental
Quality

Internal Management Directive

Subject:	Communicating with Local Government	IMD Number:	OD.10.100
Effective Date:	May 12, 2006	Pages:	4
Revision Date:	NA		
Approval:	<i>Stephanie Hallock</i>		

Intent / Purpose / Statement of Need:

DEQ appreciates the value of maintaining early and frequent communication with local governments, including cities, counties, and special districts. DEQ's programs and rules to protect the environment and public health directly affect local government. To ensure the desired protection with awareness and support of local issues, it is important to work closely with communities. This early and frequent communication will minimize surprises as we protect the public and the environment, will invite suggestions on policy, and will gain local support for DEQ's environmental programs. This policy is consistent with DEQ's strategic direction to involve Oregonians in solving environmental problems, especially supporting communities as they address environmental and economic problems.

Authority:

ORS 468.035; ORS 468.045

Applicability:

All DEQ staff

Internal Contact:

Government Relations Manager

Policy:

DEQ is committed to maintaining high-quality relationships with all stakeholders, including local government. Below are five components of this policy and examples of how DEQ typically works with local government. The level of interaction will vary based on the situation.

DEQ will:

1. Identify how DEQ directly or indirectly affects local government, and be aware of which entities are most frequently affected. Examples of programs affecting local governments include:
 - Permits and registrations – Air, Land, and Water Quality programs
 - Rulemaking

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- Compliance and enforcement activities
 - Total Maximum Daily Loads (clean water plans known as TMDLs)
 - Stormwater regulations for smaller cities and permits for larger cities and urban areas
 - State Implementation Plan (SIP) development for local air quality plans
 - On-site septic program
 - Solid waste and recycling
 - Spill response
 - Site cleanup and redevelopment, including brownfields
2. Ensure that our efforts reflect the value of maintaining quality relationships between DEQ and local government. Examples of efforts that advance productive relationships include:
- Land Use Compatibility - The Oregon land use planning program, administered through the Department of Land Conservation and Development, requires that state agencies act in accordance with State land use planning goals and approved city and county comprehensive land use plans. DEQ has adopted State Agency Coordination Rules (OAR 340-018; [Division 18](#)), to assure that DEQ land use-related permit and approval activities are consistent with state goals and local land use plans. According to these rules, the affected local government must review and approve the proposed land use, assuring that it is compatible with the local land use plan before DEQ can process and issue a permit or approval.
 - Coordination with Affected State and Federal Agencies and Special Districts (OAR 340-018-0090) - This rule requires that DEQ coordinate with the appropriate federal agencies and special districts on all rules and programs affecting land use as described in OAR 340-018-0030.
 - DEQ Government Relations Manager – This position is responsible for nurturing and maintaining positive relationships with legislators, elected officials, and local governments. The person in this position is DEQ's point of contact for coordination of governmental issues.
 - Economic Revitalization Team (ERT) – DEQ is a member of this statewide team that includes eight state agencies to help grow Oregon's economy. The team focuses state agencies on customer service, partnership and results, and relies on close relationships with city and county officials. By working with local governments, businesses and property owners at the state, regional and local levels, DEQ ERT staff can assist with moving a development project forward through the regulatory process while ensuring that the environment and public health are protected. The goal of DEQ ERT staff is to actively prepare communities and local governments for "smart" economic and population growth in Oregon by doing the following:
 - Assisting with improvements in community infrastructure;
 - Assisting regional ERT teams with the development of community-based projects; and
 - Utilizing DEQ's Business Response Teams to proactively resolve permitting and other regulatory issues that can delay business development and expansion.

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- Rulemaking Procedures – DEQ’s policy for rulemaking is to involve the public and stakeholders, including local government, in the decision making processes. This includes opportunities for engaging the public and stakeholders before completing the proposed rules for public comment. DEQ frequently uses advisory committees as part of the rulemaking process.
3. Promote communication between DEQ and local government by requiring early, informal consultation with local officials on a routine basis. Examples of good communication include:
- League of Cities and Association of Counties– DEQ participates in annual conferences, regularly shares information, participates in committee activities, and works closely with the League and Association lobbyists.
 - Special Districts Association of Oregon – DEQ shares information, seeks input, and maintains contact.
 - Association of Clean Water Agencies (ACWA) – This association represents most municipal wastewater treatment and stormwater management agencies in Oregon. DEQ staff regularly provide updates and make presentations to ACWA technical committees and at workshops, seminars and the annual conference.
 - Early Warning Team – DEQ attends the quarterly meetings of the water quality municipal stakeholders to discuss mutual issues and upcoming changes. Other members include the League of Cities, Association of Counties and the Association of Clean Water Agencies.
 - Economic Revitalization Team – DEQ regularly participates on all 10 regional teams.
 - Annual Onsite Conference – County and DEQ staff involved in implementing Oregon’s Onsite program participate in this annual conference.
 - Annual Soil Conference – This annual conference is for county and DEQ sanitarians involved in implementing the Oregon Onsite program.
 - Wastewater and Water Operator Certification Process – This is an ongoing certification program for water and wastewater operators that is co-sponsored by DHS and DEQ.
 - Community Development Forums – DEQ routinely participates in forums to discuss emerging issues and seek common ground on legislative issues.
 - Brownfields Redevelopment - In an effort to enhance redevelopment activity on existing, underutilized industrial lands, DEQ’s strategy includes these elements:
 - Identification and marketability assessments of industrial brownfield sites;
 - Provision of technical assistance and resources to streamline cleanup and reuse of marketable industrial brownfield sites; and
 - Assistance in finding additional tools and strategies to expedite site redevelopment and reuse.
4. Develop a formal notification system of upcoming agency rulemakings, decisions or other processes that bear directly on the interests of local government.
- Rulemaking notifications: DEQ exceeds the minimum statewide and Secretary of State notification requirements. DEQ policy is to engage

stakeholders and affected entities early in any proposed changes, including local government. Most rulemakings will include an advisory committee of stakeholders. DEQ uses news releases during the rulemaking process and after the EQC adoption.

- Total Maximum Daily Loads: DEQ will notify stakeholders, including local government, at the beginning of the TMDL development process. Most TMDLs will include an advisory committee of stakeholders. DEQ uses news releases at the beginning and end of the TMDL development process.
 - Loan and Grant Programs:
 - Clean Water State Revolving Fund – Individual cities, counties, and special districts are notified of the upcoming loan process which occurs annually.
 - 319/Nonpoint Source Grant – Watershed councils and soil and water conservation districts are notified of the upcoming grant process, which occurs annually.
 - Solid Waste Grant Program –DEQ solicits proposals annually from local government for solid and household hazardous waste planning and waste reduction grants. These grants are open to all local government entities responsible for solid waste management.
 - Underground Storage Tank/Brownfield Grant Program – The Cleanup program assists with grant applications to obtain cleanup funding and coordinates with property owners, developers, and the community to successfully complete projects.
 - Umatilla Chemical Demilitarization Program – DEQ works closely with Oregon Emergency Management and the Umatilla and Morrow County Emergency Management Agencies (including Benton County, WA) regarding notifications of emergencies and providing information about the status of this program.
5. Designate one or more agency contacts for local governments and identify solutions when misunderstandings or conflicts occur.
- The Government Relations Manager is the point of contact.
 - Misunderstandings and conflicts are resolved promptly. Decisions are clearly communicated, including the reasoning behind the decision.