



COLORADO

Water Quality Control Commission

Department of Public Health & Environment

MEMO

To: Participants in WQCC Proceedings
From: Trisha Oeth, Administrator, Water Quality Control Commission
Date: March 7, 2016
Re: Summary of Commissioner Comments During February 8, 2016 Work Session with Stakeholders ("Town Hall 1 Summary")

On February 8, 2016 the Water Quality Control Commission had a work session with stakeholders to talk about participation in the rulemaking hearing process. This was a "town hall" type of work session where commissioners first shared thoughts on things stakeholders can do in hearings that commissioners find helpful. Afterwards stakeholders asked commissioners some questions and provided some suggestions and thoughts on potential changes and improvements to the commission's hearing process.

The following summary of the tips and suggestions includes items shared by the commissioners during the town hall as well as items shared in previous tips sheets distributed to parties of rulemaking hearings:

1. For all prehearing statements:
 - a. Provide an executive summary of the issue(s) on which you are commenting.
 - b. Refer to each segment with the full name and segment description including the regulation number.
 - c. Include date, title of the document, and page number on each page.
 - d. Define all abbreviations.
 - e. Maps, photos, and graphs are helpful.
 - f. Tell your story so each of your submittals could stand alone if necessary; even if you have reached agreement with the other parties and/or the division staff, it is helpful to explain the basis of the agreement (ie, "show your work").
2. For responsive and rebuttal statements
 - a. When referencing a previous document (your own or another party's) identify the previous document by title, page, figure #.
3. For oral testimony
 - a. If using a power point presentation, end with a summary slide using large font.
 - b. Do not introduce technical data or other information not previously disclosed (and, be prepared to provide the reference in previously submitted documents for technical data or information to which you refer).

Questions were raised by the stakeholders during the town hall. While this summary is not intended to capture every idea raised, the following were the general themes raised:

1. Whether the commission should allow stakeholders to provide limited comments during deliberations.



2. How to encourage more public participation and improve accessibility by members of the public who are not familiar with the commission's processes.
3. Whether the commission should encourage the use of cross examination or other methods to ensure the commission understands each party's argument on an issue.
4. Whether the amount of time allotted for hearings and for testimony is sufficient for the commission to make fully informed public policy decisions.
5. The purpose and adequacy of statements of basis and purpose.

At its next meeting on March 7, 2016, the commission will likely discuss some of the suggestions raised and receive input from the commission's attorney and administrator. Based on the discussion amongst the commissioners on March 7 and informed by the stakeholder comments during the town hall, the commission may incorporate some changes into the upcoming June 2016 rulemaking hearing on the Basic Standards regulations. Changes to the process will be communicated to the stakeholders by being included in the summary of the commission's March 7 meeting, by the commission's administrator in the WQCC Update at the March 21 Water Quality Forum meeting, and during the prehearing conference for the Basic Standards rulemaking hearing.

Both the commissioners and the stakeholders suggested that similar sessions (Town Halls) should be held in the future. This could be an opportunity to discuss the changes the commission incorporates into its process and receive feedback on whether those changes improved the process and the concerns identified and discussed. The commission anticipates that it may hold an annual Town Hall in the fall of each year, depending on the usefulness of those meetings as time goes on and scheduling constraints and opportunities. Finally, the commission would like to thank all that participated for their thoughtful and helpful comments and suggestions.