

Coastal Zone Conversion Act Public Workshop
November 29 & 30, 2017
Questions for Small Group Discussions

The following questions will be asked during small group discussions at the Coastal Zone Conversion Permit Workshops on November 29 & 30, 2017. The questions focus on options for convening a Regulatory Advisory Committee to guide development of regulations for Conversion Permits. We are posting these questions ahead of the public workshops to provide time for individuals and organizations to internally confer on the questions prior to discussion among attendees at the meetings.

Background information:

Regulatory Advisory Committees are commonly utilized by DNREC to gather input during the development of regulations. There is no one standard for who can serve on a Regulatory Advisory Committee, how members are selected, or what role they play in the development of regulations. This public workshop will seek public and stakeholder input on these factors.

Regulatory Advisory Committees should reflect and utilize the expertise and interests that reside within communities, agencies, educational and research institutions, organizations, and consulting firms in Delaware.

The Committee may create work groups to focus on specific issues and to draw upon technical expertise from outside the Committee (additional consulting firms, universities, state agencies, etc.). The Committee can also have alternates to primary members. Alternates would be able to fill in when a member is absent, as well as participate actively in working groups.

Question #1: What stakeholder groups should be represented on the Committee?

Consistent with the Act, DNREC will be the lead agency for the Committee. Additionally, three general categories of stakeholder sectors have been identified from which Committee members may be selected:

- Community (e.g. counties, municipalities, civic associations, neighborhoods)
- Environment, environmental justice, and public health
- Business and industry (statewide groups or trade associations, individual businesses, labor unions, small businesses, and/or their consultants)

Discussion Questions:

- *If you are here tonight representing an organization, does your group fit within one of these categories?*
- *Is there a key stakeholder category that is not covered under the three above?*
- *Are there key organizations that you think need to be involved in some way in the Committee, especially newer or lesser known groups? If so, please name them specifically.*

Question 2: How will members be selected?

The Regulatory Advisory Committee members should be selected in a manner that ensures a group with diverse interests and a manageable number of members. There are several options for selecting members:

- *Option 1 – DNREC Selects Members:* Under each stakeholder category, the DNREC Secretary identifies and appoints members and alternates to the Committee.
- *Option 2 – Nomination process, then DNREC selects members:* The DNREC Secretary will establish a nomination process for each stakeholder category. Interested parties can nominate potential representatives (self-nominations would be accepted as well) to the Committee during a period of time in early 2018. The DNREC Secretary will review the nominations and select members and alternates from the pool of nominees.
- Option #3: Another approach?

Discussion Question:

- Is there another approach DNREC should consider?
- What do you see as the merits, pros and cons of each option? Which do you prefer for selecting representatives and why?

Question 3: What role will the Committee play in the development of regulations?

The Committee may serve in one or more of the following capacities:

- *Option 1:* Develop draft suggested regulations and provide to DNREC.
- *Option 2:* Provide specific guidance on regulation content and goals.

- *Option 3:* Provide broad principles and options for DNREC to consider in drafting regulations.
- *Option 4:* Provide reactions and feedback to DNREC drafts and process throughout regulatory process. (Note: This strategy may be combined with any of the options above.)

Discussion Question:

- *Is there another option DNREC should consider?*
- *What do you see as the merits, pros and cons of each option?*
- *Which option do you prefer and why?*