

VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY

Community Involvement Policy

Introduction

The mission of the Virginia Department of Environmental Quality is to protect the environment and the health of the citizens of Virginia. To accomplish this, DEQ is dedicated to integrating the knowledge and opinions of others into its decision-making activities.

This policy is a statement of DEQ's intentions and expectations for how to involve the public in effective environmental decision making. It supplements existing Virginia regulations that detail public participation requirements applicable to DEQ's activities under specific laws, including the Virginia Administrative Process Act. These requirements specify the minimum level of participation in regulatory decisions.

The term "community involvement" is used in this policy to include all activities that DEQ uses to engage the public in the agency's work. It means the agency informs the public and considers public concerns and preferences, as well as information provided by the public, when making decisions. The term "the public" is used to include any person or organization that may have an interest in an agency decision.

Community involvement is an important part of all DEQ programs. Effective community involvement will strengthen public trust in DEQ, and encourage those who are most concerned with agency decisions to accept and help implement them. These are some of the steps DEQ is taking as part of its commitment to build community involvement:

- Continue to provide opportunities for meaningful community involvement in all agency programs, and consistently look for new ways to enhance public input, and include development of education materials and training opportunities for the public.
- Identify and implement steps that enable early public involvement and collaboration in significant environmental decisions.
- Seek input reflecting different points of view and carefully consider this input when making decisions.
- Work to ensure that decision-making activities are open and accessible to all interested individuals and organizations, including those with limited experience participating in environmental decision making.
- Develop innovative ways to present information on the agency web site and elsewhere, and ensure that information is useful, understandable and easy to find.
- Enhance the tools available to DEQ staff to work more effectively with the public.

DEQ will carefully review and thoroughly evaluate recommendations or proposals from the public. DEQ will seriously consider such recommendations and proposals, and will respond as to why they were accepted or not. In addition, resource limitations at DEQ may affect the nature and extent of community involvement, but DEQ will work with community organizations to make the most of available resources.

Goals

The goals of this policy are to:

- Reaffirm DEQ's commitment to early and meaningful community involvement.
- Ensure that the concerns of interested and affected individuals and organizations are part of DEQ's decision-making process.
- Improve the quality of information available to DEQ when it makes decisions.
- Promote the use of a variety of techniques to create early and ongoing opportunities for community involvement in agency decisions beyond the minimum requirements.
- Strengthen mutual trust and openness between the agency and the public.
- Improve the availability of information so the public has timely, accessible, accurate and understandable information about DEQ programs.
- Ensure that the public understands the most effective ways to provide comment to DEQ.
- Ensure that the public understands the rights and responsibilities of those who are subject to environmental regulations through permits or other oversight by DEQ.
- Promote public understanding of the potential consequences of proposed actions, and provide opportunities to study alternatives and select among those alternatives.
- Keep the public informed about significant issues and changes in proposed programs or projects.
- Promote equal and open access to the regulatory process for all interested and affected parties.
- Anticipate conflict and encourage discussions of differences among affected parties.
- Provide specific explanations of how public input affects agency decisions.

DEQ commitments on behalf of the public

DEQ recognizes the value of improved community involvement and makes significant commitments to implement these improvements. This policy affects all the major activities of DEQ and stresses these actions:

1. Involve the public early in significant environmental actions, such as major permits.
2. Establish a strong relationship with environmental and community organizations.
3. Develop active participation in consensus building on significant environmental issues.
4. Communicate clearly with the public.

1. Involve the public early

Effective community involvement helps the public become aware of the environmental decisions that DEQ makes and provides an opportunity for the public to become involved in those decisions. This is accomplished in part by the legal requirements of public participation, but DEQ is committed to going beyond those minimum requirements.

Early involvement means inviting the public to collaborate in major environmental activities, to express its concerns and to find ways to address them as decisions are developed. DEQ will seek additional ways for the public to participate in environmental decisions, to help shape decisions, and to support and help implement those decisions. For example, DEQ will:

- Use tools such as listing major permit applications on the agency web site to encourage community involvement in the permit process before the required public comment periods.
- Identify the types of permits in which the public has the greatest interest and for which early public involvement will be most beneficial.
- Help the public understand DEQ's responsibilities in protecting the environment, as well as the responsibilities of local governments and other state agencies.
- Provide clear, consistent opportunities for the public to discuss and offer comments on proposed actions.

2. Establish strong relationships

DEQ will establish strong relationships with community and environmental organizations in each DEQ region. In many cases, the main point of contact between the public and DEQ is through the seven regional offices. DEQ and its regional directors are committed, therefore, to identifying individuals and organizations – such as conservation and civic organizations, neighborhood and church organizations, community educators and planners – and establishing clear lines of communication between them and DEQ staff. This is a long-term effort that will be integrated in agency actions as DEQ staff identify and implement additional measures for community involvement.

3. Active participation in consensus building

In addition to strengthening DEQ's relationship with the public, DEQ will work with individuals and organizations to help build consensus on major issues. DEQ recognizes that agreement among all interested parties will not be possible with some issues. However, DEQ will work to ensure that diverse voices are heard, relevant information is considered and meaningful efforts are made to find as much common ground as possible.

4. Clear communication with the public

DEQ will continue its commitment to provide open access to DEQ information through the agency web site and through other communication tools such as public notices, news releases and agency reports. This means ongoing improvements will be made to the way narrative information, environmental data and other online information are made available on the web site and elsewhere. These efforts will help ensure that interested Virginians are aware of impending environmental actions and can offer comments on them.

Incorporating community involvement in DEQ activities

While recognizing resource limitations, DEQ will work to incorporate community involvement in these ways:

- Involve the public early and often throughout decision-making activities.
- Identify affected members of the public, communicate with them and actively listen to them.
- Resolve differing points of view when possible.
- Work to adjust community involvement programs and public participation opportunities to the complexity and potential for controversy of the issue.
- Develop and work in partnerships with state agencies and local governments, community organizations, associations, businesses and other organizations to enhance and promote community involvement.
- Promote public understanding of how DEQ implements and enforces environmental regulations and permits to ensure equitable treatment of those who must adhere to the regulations.

In programs or activities where the public already is involved in a meaningful way, DEQ can use this policy to enhance that involvement. Where the existing level of community involvement can be strengthened, this policy provides guidelines for how to move forward. This policy will be a model for building community involvement into new programs as they are developed.

Resource limitations, the need for timely action and other considerations may affect the appropriate nature and extent of community involvement. For example, an environmental emergency may generate a compelling need for immediate action and may make it appropriate to limit community involvement. The desire to reach agreement among all parties should not prevent the agency from carrying out its responsibility to make decisions or take actions to protect the environment and public health.

Other specific actions that DEQ already has begun or is committed to taking are listed in the final work plan of the Community Involvement Task Force.

Planning for community involvement

DEQ will consider several basic steps when planning for community involvement. DEQ will exercise judgment and carefully consider the particular circumstances of each situation in determining how to carry out those steps.

Agency staff and managers will work to provide the most meaningful community involvement opportunities appropriate to each situation. DEQ will consider the issues, locations, potential environmental and human health consequences of the activities, potential for controversy, specific needs of the public and the agency, and other circumstances when designing community involvement activities. For example, enhanced opportunities for community involvement should

be created for those situations in which there are significant concerns about potential environmental or human health effects or where the public has expressed a high level of interest.

The basic steps for effective community involvement in decisions and activities are:

1. Plan for community involvement activities and evaluate the agency resources needed to accomplish them.
2. Identify the interested and affected public.
3. Consider options for providing technical assistance to enhance public understanding of complex environmental issues.
4. Provide information and outreach to the public.
5. Conduct public consultation and involvement activities.
6. Review and use input and provide feedback to the public.
7. Evaluate community involvement activities.

DEQ regional directors and division directors are responsible to ensure that managers and staff encourage and facilitate community involvement in programs and activities. DEQ will strive to achieve a level of community involvement that is appropriate to the potential effects of the activity.

The regional directors and division directors will make certain that concerns about the adequacy of community involvement are heard and, where necessary, acted upon as resources allow. Managers will encourage and facilitate the proper training, support and counseling of staff, and within budgetary limits will provide adequate funding for training or other needs.

Conclusion

This policy will guide all relevant DEQ actions. Integrating these principles and actions for effective community involvement into DEQ decision making will enable the public to participate in actions that affect them, and it will lead to stronger and better-informed environmental decisions. All DEQ staff members are expected to be familiar with this policy and how it relates to their agency responsibilities. The approaches and actions described in this policy will be used to the greatest extent possible in agency activities.

This policy is approved and is effective on the following date:



Robert G. Burnley
Director

Date: December 14, 2004