Exemption Subcommittee Meeting Minutes

Meeting held 15 March 2012

1.   Attendance

Present:

See attached sign-in sheet

2.   Description of substance discussed

- The meeting was called to order
- John moved that the minutes of the February 2012 meeting be accepted. Robert seconded. Motion passed.
- Meeting occurred during the comment period on the draft DLNR exemption changes regarding geothermal, and the draft CCH ENV exemption changes on transport and other items; no other applicant business to conduct
- It was explained that comments on both the DLNR and ENV exemption change proposals were being distributed to the full Council for background, and to DLNR for response. The comments were being distributed upon arrival; not being held back.
- David reported on the legislative briefing that Director Hooser organized. The purpose of the briefing was to bring interested state legislators up to date on Chapter 343 procedures.
- Survey of agencies and designation of points-of-contact for Chapter 343 compliance purposes was noted as an important ongoing subcommittee project
- The notion of a common pool of exemptions, available for selection by accepting authorities as appropriate, seemed initially attractive.
- The list of "Known Issues" was discussed, and after discussion, prioritized as follows. The following list is provided in descending order of perceived importance:
  - Tie for First:
    - Ad hoc exemptions vs. exemption lists
    - Combining exemptions across agencies/standard list available to all agencies, with modification as appropriate
  - Second: Public notification of exemption determinations
    - Threshold for public notice?
    - Notification of OEQC

- Location of issued determinations
- Document retention policy
  - Third: Exemption declaration content requirements
  - Fourth: Shelf life of an exemption
  - Fifth: Transferability of exemption (run with the project or with the owner?)
  - Sixth: Statute of limitations to challenge an exemption determination

3. Decisions made

- Prioritization of "Known issues"