

Water Resources Planning Committee

Remote Participation Policy

Maine Department of Agriculture, Conservation, and Forestry

POLICY: In accordance with 1 M.R.S. § 403-B, it is the policy of the Water Resources Planning Committee (“Committee”) to allow Committee members to participate remotely in Committee meetings under certain circumstances and using synchronous telephonic or video technology allowing simultaneous reception and exchange of information pursuant to this policy.

1. It is an expectation that all members of the Committee will be physically present for public proceedings conducted by the Committee except when being physically present is not practicable.
2. Circumstances in which the physical presence of one or more of the members of the Committee is not practicable include:
 - A. The existence of an emergency or urgent issue that requires the Committee to meet by remote methods. The existence of an emergency or urgent issue under this subsection shall be determined by the Committee Chair.
 - B. Illness or other physical condition as determined by the individual Committee member that causes the member to face significant difficulties to travel to or attend the public Committee proceeding.
 - C. Public health conditions such as disease epidemic or pandemic within the State or regions of the State that present a risk to health or possibility of disease transmission at in-person gatherings.
 - D. Temporary absence from the State that would cause the Committee member to face significant difficulties traveling to and attending the public Committee proceeding in person as determined by the individual Committee member.
 - E. Whenever a member of the Committee has to travel a significant distance to be physically present at the public Committee proceeding.
 - F. Whenever there are geographic characteristics or meteorological conditions that impede safety or slow travel, including but not limited to islands not connected by bridges or significant weather events such as hurricanes, snowstorms, ice storms or nor’easters. The existence of geographic characteristics or meteorological conditions that impede safety or slow travel under this subsection shall be determined by the Committee Chair.

3. The Committee shall provide members of the public a meaningful opportunity to attend a public proceeding of the Committee by remote means whenever members of the Committee participate by remote methods or when necessary to provide reasonable accommodation and access to individuals with disabilities. Any member of the public needing and requesting accommodation to access a public Committee proceeding should contact the Department of Agriculture, Conservation and Forestry via the main phone line at (207) 287-3200 or dacf@maine.gov.
4. Whenever the Committee is scheduled to allow or required to provide an opportunity for public input during a public Committee proceeding, the Committee shall provide an effective means of communication between the members of the Committee and the public.
5. Whenever a member of the Committee will be participating remotely, the Committee's notice of the public Committee proceeding will include the means by which members of the public may access the proceeding remotely and identify a physical location for members of the public to attend in person. The Committee may not limit the public's ability to attend a public proceeding in person except during the existence of an emergency or urgent issue or there are geographic characteristics, meteorological conditions, or public health conditions that impede safety or slow travel that requires the Committee to meet by remote methods.
6. A member of the Committee who participates remotely in a public Committee proceeding is present for purposes of a quorum and voting.
7. All votes taken by the Committee during a public Committee proceeding using remote methods for participation by any Committee member must be taken by roll call vote that can be seen and heard if using video technology, and heard if using audio only technology, by the other members of the Committee and the public.
8. The Committee shall make all non-confidential documents and other materials, electronic or otherwise, considered by it during a public proceeding available to the public who attend by remote means to the same extent customarily available to members of the public who attend Committee public proceedings in person so long as no additional costs are incurred by the Committee.
9. Nothing in this policy is intended to be a rule subject to the provisions of 5 M.R.S. §§ 8051-8074, and this policy may be subsequently amended by simple majority vote of those present and voting once quorum is achieved.

EFFECTIVE DATE: January 27, 2022