

From: **Berndt, Cindy** <cindy.berndt@deq.virginia.gov>
Date: Thu, Jul 23, 2020 at 2:38 PM
Subject: Re: Public Hearing on July 20, 2020 on the Wegmans Distribution Center
To: Pat Calvert - VCN <pat@vcnva.org>
Cc: <foiacouncil@dls.virginia.gov>

Hi Mr. Calvert, the form is being provided to those persons who actually joined the electronic communication meeting; and it will be sent to persons who join electronic communication meetings held in the future as well. I believe in most cases it has gone out within a few days of the meeting along with the link to the recording of the meeting.

As I indicated this form is produced by and submitted to the FOIA Council. The form can be submitted to the Council by email, fax or by postal mail. Whether there are any plans to produce a web-based smartphone-ready data entry form is a question for the FOIA Council. I am copying your email and my response to the FOIA Council so that they are aware of your concerns about the inability of some members of the public to advise the Council of issues with a particular meeting due to technology limitations.

If you need anything further, please let me know.

Cindy M. Berndt
Director, Regulatory Affairs
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P.O. Box 1105
Richmond, Virginia 23218

804.698.4378
Fax (804) 698-4178 (fax must name intended recipient)

On Thu, Jul 23, 2020 at 12:27 PM Pat Calvert - VCN <pat@vcnva.org> wrote:
Thank you so much, Cindy!

I really appreciate this gesture, as I have been receiving numerous concerns from individuals and organizations about issues with connectivity, audibility (esp. of the SWCB board member), dropped calls, and sundry electronic challenges experienced on July 20 and other meetings. Ensuring seamless public participation and transparency is more important than ever during this era of remote, electronic public meetings and in accordance with Executive Order 6.

Will the FOI Council form be shared with all agency-related meeting registrants and electronic meeting attendees throughout the pandemic state of emergency? If so, how soon after the conclusion of a meeting will the form be distributed?

Many more Virginians have access to smartphones than to computers. For those who do not have access to a computer or to the necessary proprietary software (in this case, Microsoft Word) or both — effectively preventing their ability to open, edit, and submit comments to the Virginia FOI Council — will a web-based, smartphone-ready data entry form that is both accessible and direct data entry capable be provided for submitting public comments? If so, when will that online form become available? If not, how does DEQ intend to address the inability for these members of the public to submit comments to the FOI Council?

Thank you for considering these questions. I look forward to reading the agency's response to these queries and efforts to create a transparent process that ensures robust public participation.

Kind regards,

Pat

Pat Calvert
Policy & Campaigns
Virginia Conservation Network
434.484.0804

On Jul 23, 2020, at 11:54 AM, Berndt, Cindy <cindy.berndt@deg.virginia.gov> wrote:

Thank you for attending the public hearing on the draft Virginia Water Protection permit for the proposed Wegmans Distribution Center held on July 20, 2020. The meeting was recorded and the link for the recording is: <https://attendee.gotowebinar.com/recording/1092172796053376271>.

In accordance with the Virginia Freedom of Information Act, I have attached the Electronic Meetings Public Comment Form prepared by the Virginia Freedom of Information Advisory Council (Council). The purpose of the form is to give persons participating in an electronic communication meeting the opportunity to provide feedback to the Council regarding how meetings using electronic communications technology compare to traditional meetings where everyone is present in the same room at the same time.

The form should be returned to the Council at the address provided at the bottom of the form. If you have any questions about the form, you can contact the Council or, feel free to contact me.

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