

## Anneke van Rossum

Hi, my name is Anneke van Rossum and I am a staff member with Delaware Riverkeeper Network. Tracy Carluccio from Delaware Riverkeeper Network also spoke at 1:30, but there are simply too many concerns for DRN to provide comment only once. And I would also like to note that I hope the presentation that was provided earlier will also be provided to the public afterwards.

I would like to begin my comment by impressing upon you the need for this proposed rulemaking to still have time and space for the DRBC to provide an interactive public presentation that people can attend and ask questions. There is no small change in the list of items and language changes are important that the public gain a full comprehensive understanding of what these mean. This would then ensure an even more fully informed public comment period that DRBC is sure to only benefit from. It is wrong of the DRBC to ever assume that simply throwing items up on a website would be a suitable alternative to offering an interactive public presentation on matters important like this.

A great example of this is that only when someone reads the redlined Rules of Practice and Procedure, which is only contained as one of many, many links on the website the public has to sift through, do they see that the DRBC has removed all references to the Federal Freedom of Information Act from its rules and setting up a DRBC-centric system. These changes are not made apparent on the changed text that is copied and pasted into the website text of the RPP page on DRBC's website, only in the redline. While, the DRBC has said they are ruled under the water compact as opposed to the laws of federal or specific state government, the DRBC should not see this as a way to write its own rules that are not consistent with the standard practices many agencies and states all have consistencies in.

This new system leaves many aspects of requests for records unaddressed or in the hands of the Executive Director such as forms, reason for denial, and how costs will be assessed fairly, which includes if a waiver of fees can be requested unlike how other agencies always allow one to make a waiver request. Without a waiver of administrative fees, some members of the public will not be able to afford to get the information they need and that is unfair and discriminatory. This control exerted by the Executive Director in many of these proposed rulemakings is of great concern, including giving the Executive Director what would appear by these rules to be the sole decider of if a disclosure of exempt records is in the public interest, which they may not even be qualified to make such legally important decisions.

The DRBC did not take this rulemaking opportunity to clarify on many of its records requests rules and make it easily understandable for the public, but has left loopholes to drag their feet, force the public to possibly spend exorbitant document fees. And be able to waive the rules in the public space and say too bad, so sad that's just how it goes, with little to no resources for the public to appeal of denial of records or receive fee waivers. It is a keystone in many government agencies that you provide public disclosure of records on requests and DRBC should not take lightly its duty to

provide full opportunities for the public to understand.

I implore you to hold an interactive public presentation on these real changes and to extend the comment deadline accordingly, DRN will be submitting written comment as well. Thank you.