

AB 617 Community Steering Committee (CSC) Charter - Eastern Coachella Valley (ECV)

Final Version: August 26, 2020

Background

Assembly Bill 617 (Garcia, C., Chapter 136, Statutes of 2017) is a law that addresses the disproportionate impact of air pollution exposure in the most heavily burdened communities throughout the State of California. The measure requires local air districts to take specific actions to monitor air quality in specific communities and to reduce air pollution emissions from commercial, industrial, and mobile sources that cause or significantly contribute to the air quality in those selected communities.

Each year, air districts make recommendations to the California Air Resources Board (CARB) with a list of disadvantaged communities, as defined by California Health and Safety Code § 39711, based on air monitoring information, existing public health data, and other relevant information. The CARB Community Air Protection Blueprint (Blueprint) specifies that the air districts are responsible for convening a Community Steering Committee (CSC), which includes community members who live, work, own businesses, and/or attend school within the community. Members who serve on the committee should have an established rapport within the community that they represent and should demonstrate leadership by providing updates and outreach to their local community members. South Coast AQMD will convene a Community Steering Committee in each designated community within its jurisdiction to discuss emission reduction targets and strategies in order to create a tailored community air plan that addresses the community's highest priority air pollution-related concerns. In the year 2019, CARB designated the Eastern Coachella Valley community for the development and implementation of a Community Air Monitoring Plan (CAMP) and Community Emissions Reduction Plan (CERP).

Section 1: Purpose and Objectives of the Community Steering Committee

The purpose of the Eastern Coachella Valley Community Steering Committee is to support active community involvement and collaboration in the development of AB 617 activities and processes by providing a forum for identifying air pollution issues in the community and potential solutions with all stakeholders. The CSC shall support and advise in the development of a CAMP and a CERP. As well, the CSC will help develop new programs and/or expand upon existing programs to reduce air pollution emissions and exposures, improve health and the overall air quality in the AB 617 Community.

The CSC will work to ensure that the plans reflect community priorities and that the CERP incorporates meaningful emission reduction measures, including regulatory strategies. CSC members shall be responsible for providing recommendations to South Coast Air Quality

Management District (South Coast AQMD) staff and Board Members regarding the development and implementation of the CAMP and CERP. In this role, CSC members are expected to review materials provided and engage in meaningful discussion on topics relevant to the development and implementation of the CAMP and CERP.

South Coast AQMD staff and the CSC will work collaboratively to fulfill the following goals and objectives:

1. Identify and establish the boundaries of the Eastern Coachella Valley community for the purpose of the AB 617 program;
2. Identify areas of concern regarding air pollution, including sources located within the community boundary and nearby external sources that have direct impacts to the community and sensitive receptor sites;
3. Develop a community profile and process for technical assistance; identify baseline air pollution emissions impacting the community; and identify the health challenges and places where there may be higher exposure to sensitive receptors. Identify community concerns about emission sources to develop a shared understanding of the community's air pollution challenges and potential solutions; Each identified community may be different and will need to ensure that the identified priorities have supporting data;
4. Review community air quality data and relevant studies to identify sources of pollution;
5. Review issues and sources contributing to the community's air pollution challenges;
6. Identify approaches for youth and community outreach, education and engagement to enhance public knowledge and help inform the CAMP and CERP;
7. Provide community education through workshops that are accessible to community residents, in terms of the language used and vocabulary that can be clearly understood. Workshops should include information about the specific air pollutants and available data.
8. Establish mechanisms for engaging with other agencies and stakeholders;
9. Outline the responsibility/authority of government agencies, non-profit entities, and other community members to address air pollution challenges;
10. Develop strategies to be incorporated into the CAMP and/or CERP, including specific targets, enforcement strategies, and clear metrics to track progress;
11. Identify fair, effective, and feasible goals to mitigate and reduce air pollution impacts on health risks in the community;
12. Provide input into the implementation of emission reduction strategies to ensure community benefits in the ECV.

Section 2: Community Steering Committee (CSC) Membership, Roles, and Responsibilities

As per the Community Air Protection Blueprint, the Community Steering Committee (CSC) shall include community members who live, work, or own businesses within communities designated for focused action through community emissions reduction programs and community air

monitoring, with the majority representation from community residents. To ensure the CAMP and CERP focus on the impacts to community residents, workers, and small local businesses within the approved ECV boundaries, CSC membership is primarily focused on community residents or small local businesses with street addresses located within the approved ECV AB 617 boundaries. The collaboration within the CSC is intended to create new partnerships and foster existing partnerships within this community providing an opportunity for CSC members to make recommendations to the CAMP and CERP.

Membership Criteria

The selected stakeholders are intended to be diverse in order to best represent different areas within the community. The CSC can include the owners of small businesses (which are important community voices), locally-based business associations, as well as representatives of businesses that are larger industrial sources (but the representative should be a worker or manager from the facility itself, to keep the focus on the community). CSC members shall disclose whether they are representing their individual voice or any identified organization (including public agencies, businesses, non-profit organizations, or other entity). CSC members should not speak for any other entity and/or special interests that they did not clearly identify on the official CSC roster.

Upon acceptance, the member agrees to the terms of the charter and will be added to the CSC roster.

Selection Process

South Coast AQMD staff will be responsible for convening a Community Steering Committee (CSC) using an open and transparent selection process. Interested stakeholders should request and submit an application form to South Coast AQMD staff to be considered and added to the pool of applicants. All primary and alternate members must submit an application. Consistent with public records requirements, any member of the public can request to see the application forms that have been submitted to the South Coast AQMD staff, by submitting a Public Records Request¹.

Once the roster is finalized and approved by South Coast AQMD's Executive Officer, all subsequent modifications will have to be approved by CSC consensus and South Coast AQMD's Executive Officer. After the CSC roster is finalized and approved by South Coast AQMD's Executive Officer, any new application shall be presented to the CSC at the next scheduled meeting for consideration. After CSC approval, the changes to the roster will be presented to the South Coast AQMD Executive Officer for consideration.

All active community residents² accepted into the CSC shall serve as primary members.

¹ Instructions for submitting a Public Records Request can be found on the website <https://www.aqmd.gov/nav/online-services/public-records>. Requests can be submitted by FAX, email, web form, or US mail. For further information, contact Public Records at 909-396-3700.

² As outlined and identified in the roster

The CSC roster shall be posted on the CSC website, kept updated, and include contact information. The current CSC roster can be found on the website: <http://www.aqmd.gov/nav/about/initiatives/community-efforts/environmental-justice/ab617-134/eastern-coachella-valley>.

As of July 29, 2020, there are 51 primary CSC members and 12 alternate members.

Alternates

Each primary CSC member may designate one person to serve as their alternate following the same selection criteria as primary members. Alternates are also required to submit an application to the South Coast AQMD staff in order to be added to the CSC roster.

Vacancies

As positions become vacant, they should also be filled considering applications from the collected applications pool. If a primary position becomes available, it should automatically be filled by the enacting alternate, and this person then has the option to designate their own alternate. Vacant positions must be filled in a way that maintains the majority membership by community residents, as stated above. Vacancies filled after the CSC roster has been finalized and approved by the South Coast AQMD Executive Officer will have to be approved by CSC consensus and South Coast AQMD's Executive Officer.

Attendance and Participation

All CSC members (and/or designated alternates) are expected to attend all regular committee meetings throughout the course of the year prior to the adoption of the Plans, and all regular committee meetings held during the plan implementation phase. This includes in-person, teleconference and/or videoconference meetings. Please note that if both the primary and alternate member are in attendance at a CSC meeting, only one member (either the primary or the alternate), may sit at the table during an in-person meeting, or be a panelist during a virtual meeting.

All CSC Members are expected to attend the entire meeting, including arriving on time and leaving only after the meeting has been formally adjourned. For in-person meetings, a CSC member must complete the sign-in sheet to verify attendance and arrival time. Signatures must be clearly legible and contain time in and out. For virtual meetings, a CSC member must log into the meeting, participate and remain in the meeting to be considered as being in attendance. Virtual meeting log-in and log-out times will be used to verify attendance.

If the primary CSC member is unable to attend, that member should notify the South Coast AQMD community liaison prior to the date of the meeting. Each CSC member reserves the right to invite their alternate to attend a meeting in their place and deliberate on their behalf. The primary CSC member is responsible for ensuring that the alternate is kept informed of the Committee's work. If a CSC member and their alternate miss three meetings in a row, South Coast AQMD staff will follow up with that CSC member and their alternate to check on participation status prior to determining the removal of a CSC member.

A CSC member may request a leave of absence. A request for a leave of absence shall be made in writing to the CSC and the South Coast AQMD community liaison at any point during a Committee member's term for reasons of health, work, or other temporary circumstance. A leave of absence shall not exceed three (3) months. Requesting a leave of absence shall not limit the member from participating in full in the future.

Membership Term

The member may serve on the CSC for the duration of the program, including both the plan development phase and the plan implementation phase.

Resignation

A member may resign by giving written notice to the CSC and to the designated South Coast AQMD community liaison. The effective date of the resignation must be specified in the resignation letter. The South Coast AQMD staff shall enter the notice in the proceedings of the next committee meeting. Members should make every reasonable attempt to provide their resignation notice at least two weeks prior to the next committee meeting, so that alternative arrangements can be made for any tasks which the resigned member agreed to perform on behalf of the CSC. Resignation will not bar or limit a member from applying to be a committee member in the future.

Member Roles

Up to three members from this CSC may serve as representatives on the South Coast AQMD AB 617 Technical Advisory Group (TAG). The purpose of the TAG is to provide input on the technical details related to source attribution, air monitoring, and other technical analysis needed to develop the CAMP or CERP. Each of these three members may select an alternate for their participation on the TAG, and the alternate may be any primary or alternate member already serving on the CSC. If more than three CSC members wish to serve on the TAG, the representatives will be selected from among the CSC members who wish to serve on the TAG based on consensus among these members.

Section 3: Standard Meeting Procedures

Facilitator

To better assist the CSC, a third party professional facilitator will be employed for moderating CSC meetings, Workshops, and Working Group meetings. The facilitator may assist the committee in reaching consensus on issues during the meetings. Additionally, the facilitator will help provide space for members to express their thoughts, including making extra efforts to encourage participation from less vocal members.

Deliberation and Voting

The facilitator identified above shall support the CSC and Working Groups in the overall organization, order, and focus of the meeting, assist in resolving conflicts, hear both sides of an argument, and help reach consensus prior to voting to ensure the goals and objectives of this

charter are met. A majority vote (50% + 1) of all CSC members is necessary to take action by the CSC.

In all cases, reasonable efforts will be made to capture all of the perspectives that are expressed in meeting minutes, committee documents, and other related reports, including the final CAMP and CERP.

CSC members or South Coast AQMD staff may propose a motion regarding an issue being discussed in the meeting, including proposing specific action regarding the issue, proposing that the issue be tabled, or proposing that a previous motion or issue be reconsidered. Consistent with Robert's Rules of Order, each motion must be seconded by another committee member. Each seconded motion shall be presented to the group for a vote. The meeting facilitator shall direct the voting process.

A majority (50% + 1) of current members of the CSC (not including members on a leave of absence) shall constitute a quorum. Vacant seats shall not count as "current members." Each member of the CSC shall be entitled to one (1) vote. A vote of the majority of the CSC with at least a quorum in attendance shall be required to take action and/or make a committee-wide recommendation, except that adjournment of a meeting shall require only a majority of those present. CSC members shall be present for voting on all agenda issues. No proxy or absentee voting shall be permitted. A committee member shall recuse themselves from voting on any contract or any other matter in which they have a financial or other conflict of interest.

South Coast AQMD staff are not considered members of the committee, as the purpose of the committee is to help inform the work of the staff. However, staff will participate in the committee meetings and will help support the consensus building and decision making processes.

Open Meetings

All committee meetings are open to the general public and will provide a formal opportunity for members of the committee and the public to provide their perspective on the development and implementation of the CAMP and CERP. Stakeholder input is welcome and encouraged. Every agenda for regular meetings shall provide an opportunity for members of the public to directly address the CSC and South Coast AQMD staff on any item of interest to the public, before or during the CSC's consideration of the item.

Meeting Schedule and Agendas

The CSC shall work with South Coast AQMD staff to establish the time and place for its regular meetings, including the date, time, location, and platform (e.g. in person or virtual). During the CERP and CAMP development phase, the CSC shall meet approximately once a month and the schedule shall be determined and approved by the CSC. The meeting schedule for the CERP and CAMP implementation phase will be discussed by the CSC to determine the appropriate meeting frequency. In the event of insufficient agenda items, South Coast AQMD staff can notify the CSC of the cancellation of a future meeting. However, if the CSC anticipates a lack of agenda items for the next meeting, the CSC may vote to cancel the next meeting. The meetings will be open to the public and shall serve as the venue for decision-making by the CSC.

CSC members are expected to attend the scheduled meetings. Upon consensus agreement of the CSC, meeting schedules may be adjusted with adequate advance notice. Agenda topics for the next meeting will be informed and prioritized using CSC input and requests toward the end of each CSC meeting. The agenda will include the date, time, duration, location, and topics to be discussed. Members of the public may also request additional agenda items during public comment, but these are subject to approval by the CSC. South Coast AQMD staff shall distribute and publish agendas to all CSC members at least 10 days in advance of the CSC meeting, Working Group meeting, or Workshop. Individual CSC members may request relevant changes or additions to an agenda at least 7 days prior to the scheduled meeting. South Coast AQMD staff shall publish the agenda and meeting materials to the public at least 3 days in advance of the CSC meetings, Working Group meetings, and Workshops. Meeting agendas will be distributed to the CSC via email and posted to the South Coast AQMD webpage.

Working Groups

The CSC may decide that a working group needs to be formed to conduct further research or data gathering on a specific issue in order to expedite progress on time-intensive initiatives. In these cases, the CSC will determine the scope of the working group and will ask for volunteers from the CSC membership to serve on the Working Group. Participation in Working Group meetings is not required for CSC members and a member's absence at such meetings shall not be considered failure to attend a regular CSC meeting. These meetings are also open to the public.

The Working Group shall develop a set of recommendations, outlines, proposals, research or other work as determined by the CSC, and any results produced by the group shall be referred to the full CSC for revision and approval.

At the CSC meeting following one or more Working Group meetings, South Coast AQMD staff or a CSC member who participated in the Working Group meeting(s) shall provide a report of the activities and results of the Working Group meeting(s) to the CSC and public. CSC members can vote (by a majority vote) to cancel any or all additional meetings for that specific Working Group topic.

Stipends

For each CSC meeting on or after July 1, 2020, each CSC active community resident shall be entitled to receive a stipend of \$75 per CSC meeting attended (excluding any additional meetings such as Working Group meetings, Subcommittee Meetings, and Workshops), subject to the availability of AB 617 funding. CSC active community residents shall indicate their interest in receiving the stipend and South Coast AQMD staff shall determine the method for disbursing the stipend to the members requesting the stipend. Specific requirements to receive a stipend are detailed in the South Coast AQMD Stipend Policy for AB 617 Community Steering Committees; this document provides information about the eligibility requirements, documentation requirements, meeting attendance requirements, verification of attendance, program start and end dates, and tax forms.

Section 4. Communications and Materials

South Coast AQMD Designated Representatives

The South Coast AQMD shall designate a representative(s) for receiving and coordinating general communication on AB 617 community issues. South Coast AQMD staff may also designate additional representatives for receiving and coordinating information on project-specific issues, such as the various community emission reduction projects. A roster of the names, contact information, and roles of the South Coast AQMD representatives will be made available to CSC members, and kept current by South Coast AQMD staff as the CSC's work proceeds.

Meeting Publicity

A flyer should be created for each CSC meeting, Working Group meeting, and Workshop. Flyers will be distributed to the CSC and interested parties by email, and posted on the South Coast AQMD webpage. In order to gain more participation from the public, flyers will be posted on all South Coast AQMD social media platforms (Facebook, Twitter, Instagram). CSC members, including participating residents, organizations, and other representatives, may support this effort by sharing the flyers online or in community spaces. A public Facebook event should also be created for each CSC meeting to increase public awareness of the AB 617 efforts in the ECV. South Coast AQMD staff will continue to work with CSC members to enhance outreach.

Meeting Documents and Correspondence

Any written materials, including presentations, handouts, other documents, correspondence or other written communications from South Coast AQMD staff to the CSC shall be made accessible to the CSC members and the public. South Coast AQMD staff will be willing to distribute relevant written materials pertinent to the AB 617 program from CSC members to the other CSC members and the public. All South Coast AQMD meeting materials and publications shall be done in Spanish and English. Additional languages may be requested if deemed necessary by the CSC.

All documents and correspondence generated by or sent to South Coast AQMD staff, including but not limited to meeting agendas, sign-in sheets, minutes, and presentations, will be considered public record and may be released in response to a California Public Records Act request.

Upon written or verbal request by a CSC member, South Coast AQMD staff shall mail all meeting materials (in Spanish and English) to that member at no cost to the CSC recipient. South Coast AQMD staff shall also provide printed copies of the meeting materials to local organizations who make this request for the purpose of distributing printed copies to CSC members before each CSC meeting. South Coast AQMD shall mail such material as requested.

Given the composition of the CSC and the resident membership, South Coast AQMD staff shall conduct individual phone calls to residents who request it. These phone calls are to update CSC

members about the progress of the CSC and share important information regarding materials, surveys, meeting changes, etc. These phone calls are to supplement the email updates.

A website will be developed and maintained by South Coast AQMD staff, with input from the CSC, to publicly provide recent and current information on the CSC's actions and progress on the AB 617 process. The website should be updated regularly and should include the CSC roster and available contact information, meeting minutes, agendas, and all other meeting materials.

Meeting Minutes: A record of the significant results of each meeting shall be developed and published by the South Coast AQMD. South Coast AQMD staff shall prepare the minutes of each CSC meeting, Working Group meeting, and Workshop. The minutes shall be an accurate summary of the CSC's consideration of each item on the agenda, and an accurate record of each action taken or requested by the CSC. In an effort to capture every comment, question and response from each meeting, the Facebook live recording of each meeting will be posted on the South Coast AQMD website. For the minutes of each regular CSC meeting (but not for Working Group meetings or Workshops), the minutes shall be submitted to the CSC at the subsequent meeting for approval; if no CSC members ask for corrections to the minutes, then the minutes are approved by unanimous consent. Once approved, the designated South Coast AQMD staff will sign the minutes and keep them with the proceedings of the CSC. The official minutes, as approved by the CSC, recording any motions or actions taken by the Committee, shall be recorded, made available on South Coast AQMD website, and made part of the public record. Minutes shall be provided in both Spanish and English.

Section 5: Accessibility and Accommodation

All in-person CSC meetings, Working Group meetings, and Workshops will be held in locations within the ECV community boundary, at facilities that are open to the general public, and preferably accessible by public transportation. When necessary, such as during times of community emergencies where public assembly is restricted, meetings may take place online via a platform that is freely accessible to public participants, and that includes a teleconference option. Each of the CSC meetings will include a formal opportunity for all community members to provide public comment on the development of the CAMP and CERP and on the actions taken by the CSC. Public input is welcome and highly encouraged.

All in-person CSC meetings, Working Group meetings, and Workshops must be held at facilities that can accommodate members covered by the Americans with Disabilities Act. Additional accommodations should be available upon prior requests.

Spanish language interpretation services will be provided at all meetings. Additional language interpretation may be requested by the CSC members if deemed necessary; a minimum 7-business day advance request is needed for additional language interpretation services.

Meetings shall be facilitated in Spanish if the majority of the committee and public are Spanish-speaking or bilingual. English to Spanish and Spanish to English interpretation will be provided.

Section 6: Charter Adoption

The Charter shall be presented in final form to the CSC. The Charter must be approved by a majority of the CSC (50% + 1) in order for the Charter to be adopted. The Charter shall be reviewed and voted on an annual basis depending on the date of final adoption.

Section 7: Charter Amendments

This Charter may be amended only by a majority vote of the CSC following a discussion of the reason(s) for the amendment. Meetings during which the Charter is being amended should be publicly noticed in the published meeting agenda.

Section 8: Designation of Advisors

The CSC may request that South Coast AQMD staff provide independent contractors deemed necessary by the CSC to provide advice or services deemed necessary and desirable in implementing and carrying out the purposes of the CSC. Contracts are subject to approval by the South Coast AQMD Executive Officer and/or the South Coast AQMD Governing Board, must comply with South Coast AQMD administrative policies, and are subject to available funding. Any such requests shall be presented to the CSC and shall be reviewed to assess their purpose and relevance to the program.

Section 9: Budgets and Financials

On an annual basis, South Coast AQMD staff shall provide budget information to the CSC regarding the expenditure of AB 617 implementation funds.

During the implementation phase of the CERP, South Coast AQMD staff will provide budgetary information regarding incentive funding opportunities in this community. The CSC will be able to discuss and make recommendations about what types of projects the incentive dollars should go toward in order to implement actions in the CERP. For example, the CSC may weigh in on how much of the available incentive dollars should be allocated toward school air filtration projects vs mobile home park paving projects vs diesel truck replacement projects. The CSC may also make recommendations in terms of specific projects that should have the highest priority. The CSC may take a vote to determine what recommendations are put forth by the CSC as a whole. These funding recommendations are subject to the approval by the South Coast AQMD Governing Board, and such considerations by the Governing Board will be conducted in public meetings where members of the public can provide comments.