

A Collaborative Agreement for Partnering on the AB 617 West Oakland Action Plan: West Oakland Environmental Indicators Project and Bay Area Air Quality Management District

February 14, 2018

I. Background

The community of West Oakland has embarked on a course of revitalization aimed at sustainable development and public health. Since the Loma Prieta earthquake in 1989, the community, the City of Oakland, agencies and other parties have produced comprehensive redevelopment plans, assessments and initiatives to support these goals. In the 1990's the U.S. Environmental Protection Agency's Region 9 office implemented an environmental justice pilot project in West Oakland. In 2002, a community-driven initiative resulted in a report, "Neighborhood Knowledge for Change," issued by the West Oakland Environmental Indicators Project (EIP), putting forward 17 indicators of community health. Early actions within EPA's Region 9 office provided support to the EIP Committee and to the Pacific Institute to develop a strategy to address the impacts of diesel emissions. Since that time, the EIP Committee has continued pursuing and expanding upon initial strategies.

In 2004, the Bay Area Air Quality Management District (Air District) initiated the Community Air Risk Evaluation (CARE) program to identify areas with high concentrations of air pollution and populations most vulnerable to air pollution's health impacts. EIP provided early assistance and direction to the CARE program by serving on the CARE Task Force. In an early partnership, in the fall and winter of 2008, the Air District and EIP worked with paid community members to develop and implement a comprehensive truck-traffic survey that improved on earlier attributions of trucks and emissions to Port and non-Port activities. Additional partnerships have continued, based on these early efforts. Over the years, experiences of both EIP and the Air District point to the need for a broad, collaborative, multi-stakeholder approach to addressing the environmental and community health problems facing West Oakland.

The AB 617 West Oakland Collaborative

AB 617 requires air districts to identify communities most impacted by air pollution and to develop, in partnership with each such community, either a local Community Emission Reduction Action Plan or an air monitoring plan. Action plans are required to include the following plan elements:

- emissions reduction targets
- assessment and identification of sources (technical assessment)
- specific emission reduction strategies for mobile, stationary and area sources, considering cost-effectiveness, authority and feasibility
- implementation schedule
- enforcement plan,
- public and community engagement process, and
- evaluation/tracking methods.

Cost effectiveness, authority and feasibility should be considered in identifying strategies. Additionally, the emission reduction strategies should include measures for reducing emissions from the contributing sources or categories of sources, including both stationary and mobile

sources. The Air District's Board of Directors and California Air Resources Board must approve the plan.

Because of its early work through the CARE program, the Air District has already made progress in identifying communities in the Bay Area most impacted by air pollution. Based on this early work and, critically, on the early capacity building of EIP, West Oakland has been identified as an early community for adopting a local air quality action plan. For developing the action plan, EIP and the Air District will form the *AB 617 West Oakland Collaborative*.

The AB 617 Collaborative will consist of community-, faith-, neighborhood-, labor-, and school-based groups; businesses; nonprofit and environmental groups; local, regional, state, and federal land use, transportation and environmental agencies; local health departments and academia.

To ensure the establishment of the collaborative, that the action-plan elements are developed in accordance with state requirements and deadlines, and that the plan is developed in a community-driven and lead process, both the Air District and the West Oakland Environmental Indicators Project agree to play a shared, active lead role, as co-chairs, or co-leads, of the collaborative.

II. Draft Goal Statement

It is the goal of the (the "Action Team") to identify, mobilize, and coordinate agency, academia, business, and community resources to improve air quality and community health. The co-leads will work with these various sectors to identify specific goals of the collaborative, along with action-oriented strategies, that focus on reducing exposure to and effects of diesel exhaust, fine particulate matter, and other toxic pollutants in West Oakland.

Examples of such goals include:

- Reduce exposure to diesel exhaust, fine particulate matter, and toxic air contaminants from mobile and stationary sources.
- Reduce the inequity in exposure to, and health burden from, air pollution for residents of West Oakland.
- Reduce incompatible or non-conforming land uses that produce air pollution emissions to ensure a safe, healthy, and sustainable community with clean air for all West Oakland residents.
- Reduce the proximity and impact of diesel truck traffic to West Oakland residents.
- Strengthen and improve relationships and coordination between public agencies and the community.
- Ensure timely and effective response to environmental violations in West Oakland, including both public and private violations.
- Build community capacity and education and develop community-based leadership.

III. Roles of Co-leads

To achieve the goals of the collaborative, the co-leads will (1) identify and contact agreed upon community sectors to participate in the collaborative, (2) form a steering committee for the collaborative, (3) request each community sector to nominate, **or recruit**, one representative to sit on the steering committee, (4) develop steering committee meeting agendas, (5) develop background materials/reports for all meetings, (6) issue notices for meetings of the steering committee, (7) prepare meeting summaries, (8) comply with evaluation and reporting requirements associated with the action plan, (9) coordinate funding requests, and (10) be responsible for external communications regarding the work of the steering committee.

The co-leads also agree to do the following:

- Sign a partnership agreement.
- Share relevant information and data related to West Oakland.
- Keep each other informed of actions, initiatives and legislation/regulation that may contribute to the goals.
- Coordinate activities that have the potential to complement or conflict with the goals.
- Identify existing and additional resources that could be applied to the goals and assist each other in obtaining or utilizing those resources such funding must be Identify and participate in joint activities that could benefit the goals.
- Where feasible, work collaboratively in lobbying and meeting with local, regional, and state decision makers.
- Identify obstacles to achieving the goals and develop solutions to overcoming them.
- Think creatively about how the collaborative may work collaboratively to make a difference in the health and wellbeing of the West Oakland community.
- Respect each other's individual roles and contributions and any limitations a lead may have regarding resources.
- Attempt to resolve conflicts in a positive, swift and constructive manner.

IV. Steering Committee

The steering committee will act as the formal work group and decision-making body of the collaborative. The steering committee should reflect the diversity of the community and will support the goals and objectives of the collaborative.

The committee's role will be to develop, in a cooperative process, all the required action plan elements, including finalizing the collaborative's goals. This work will be done with the full support of the co-leads, who will act as co-chairs of the committee. **{Add language here about facilitation and subgroups.}**

All community sectors seat on the steering committee. Sectors may include:

- Community-based organization
- faith-based association
- neighborhood-based group
- labor organization
- School/education
- First five educators/child care councils

- Business/industry
- Nonprofit organization
- public health
- environmental group
- local government
- state government
- federal agencies
- regional and local transportation agencies
- academia

All interested parties will be invited to attend steering committee meetings; however, the steering committee will be the decision-making body, and charged with doing the work necessary to develop the action plan, as described above.

V. Duration

The steering committee's work will continue through October 2019, when the Air District Board is required to adopt the West Oakland Action Plan. Upon adoption of the plan, the co-leads will determine the best path forward for plan implementation and tracking progress.

VI. Reaching Consensus

The co-leads agree to work in a cooperative fashion and to strive for consensus on all issues before the steering committee. Achieving full consensus of the steering committee may not always be possible. The co-leads agree they will attempt to resolve disagreements expeditiously and constructively, and ideally achieve consensus. In the event of an impasse, the co-leads shall be the final decision-makers on matters pertaining to the steering committee, carefully weighing the consequences of any decision where there is a lack of consensus. If the co-leads cannot agree, then the action in question will not proceed.

By signing below, the co-leads agree to the statements outlined in this agreement and to resolve to work together to demonstrate how agencies, communities and other stakeholders working in concert can achieve meaningful improvements in public health for communities such as West Oakland.

VII. Co-lead Signatures

West Oakland Environmental Indicators Project:

Date: _____

Bay Area Air Quality Management District:

Date: _____