

## AB 617 Evaluation Study: Preliminary Findings

February 26, 2020

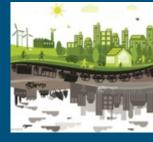
Jonathan London. Ph.D. UC Davis

# Study Design

#### Purposes of the Evaluation



- 1) Assess the successes, challenges and lessons learned about community engagement in AB 617 implementation
- 2) Assist CARB, Air Districts, Community Steering Committees and other stakeholders to improve future implementation of AB 617
- 3) Share lessons learned about AB 617 model with wider audiences



#### Project Timeline

Data Collection: July 2018-present

Preliminary Findings: February 4th

Draft Report: March 31

Stakeholder Review (online feedback) April 1-17

CARB Review of Final Report: Spring (exact timing TBA)

Final Report as part of larger UC Berkeley-managed contract report: June 30

#### **Evaluation Questions**



- What changes did AB 617 create in the management of air quality in California (especially in addressing the needs and challenges of disadvantaged communities?)
- 2) How "transformative" were these changes (in process, in outcomes)?
- 3) What were the factors that facilitated and reduced the effectiveness of these changes?
- 4) What are ways that the state can better achieve the goals of AB 617 -- and the underlying goals of addressing air quality needs and challenges of disadvantaged communities?

#### **AB 617 Transformation?**





#### **California's Air Quality Management**

#### **Methods**

- Surveys
  - 115 responses to initial survey (CSCs, Air Districts, CARB, Consultation Group)
    - Initial survey: November 2018-January 2019
    - Follow up survey in early February 2020 (75 to date)
    - Please take it → <u>https://tinyurl.com/sj6mzf2</u>
    - Survey of CSC facilitators (March)
- Interviews
  - All10 CSCs and Air Districts
  - 59 Interviews conducted (including 3 Spanish-language)
  - In-person and by phone
  - Spring-Fall 2019
- Participant Observation of all 10 CSCs (Spring- Fall 2019)
- Coding of CERP Comment Letters



Qualitative Analysis

## Findings Overview



#### Indicators of Success for AB 617

- Improved Community Engagement
- Building Positive Relationships across Stakeholders
- Democratize Decision-making Power and Community Input
- Increase Governance Transparency/ Accountability
- Rigorous and Useful Air Monitoring (CAMP)
- Effective Air Quality Improvement (CERP)
- Address Structural Racism / Environmental Injustice

### **Study Limitations**



- Focus on community engagement in Community Steering Committees
- Interviews/ CSC observations before CERP adoption
- Comment letter content assessment and survey data for CAMPs and CERPs
- Survey data only on Community Air Grants
- Survey data only on AB 617 Consultation Group
- No air quality monitoring workshop assessment

### **Key Findings: Greatest Successes**



- Greatly improved/ community engagement in air quality monitoring via the Community Air Monitoring Plans (CAMPs)
- Mixed improvement engagement of community residents/ organizations
- Mixed improvement relationships between Air Districts and communities
- Strong community leadership models of some CSCs
- Extensive community-run resident engagement processes
- Community Emissions Reduction Plan (CERPs) include a range of community-priorities (land use, pesticides, community-benefit investments) & engagement of other agencies (cities/ counties/ DPR)

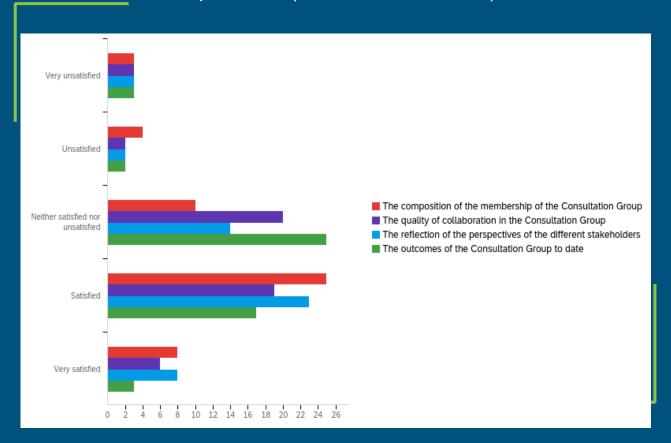
### Key Findings: Greatest Challenges



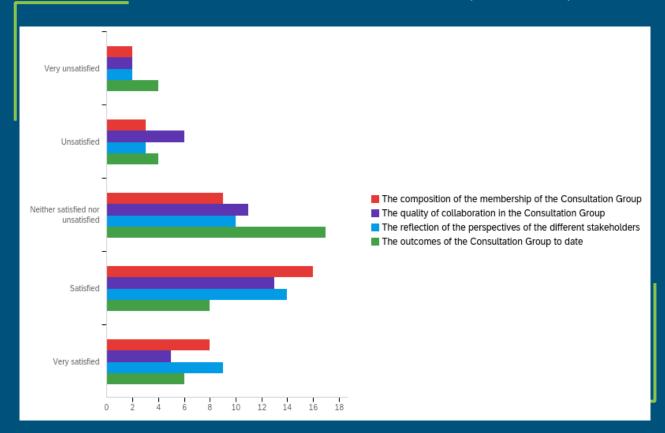
- Aggressive timeline (conflict with community-engagement timeline)
- Lack of clarity on shared goals for process and outcomes
  - Monitoring/ management *in, with or by* disadvantaged communities
  - Scope of air quality management actions (include land use, pesticides, mobile sources?)
- Long-standing conflicts between some Districts, industries and communities
- Insufficient capacities for community engagement in some Districts
- Desire for more pro-active roles for CARB

## **Consultation Group**

Please rate your level of satisfaction or dissatisfaction with the following aspects related to the AB 617 Consultation Group to date (Nov 2018-Jan 2019)



Q10 - Please rate your level of satisfaction or dissatisfaction with the following aspects related to the AB 617 Consultation Group to date. (Feb 2020)



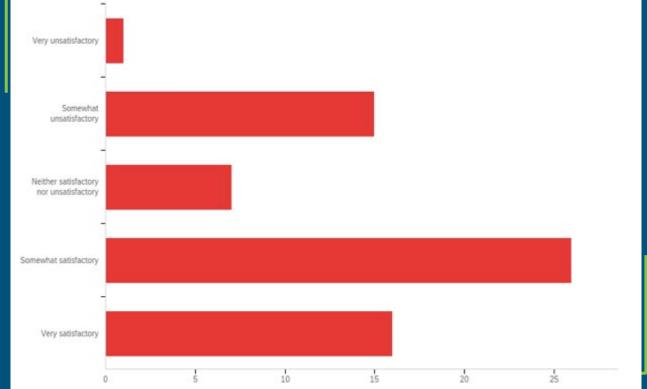
#### Consultation Group Survey (Feb 2020)



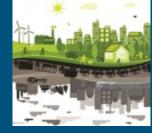
- The meetings were at first exclusionary and got off to a rough start, which has been remedied somewhat. The meetings should have more opportunity for focused comment from every participant to best use the time and thoughts of all of the people present. Presentations are often too long, and should invite comment during presentation more. Remote participation technology used is very old fashioned. That being said, this is a difficult process and CARB staff have made great efforts and great strides forward and I commend and appreciate them.
- CARB needs to recognize the CG as a formal body with the responsibility of overseeing the AB 617 implementation and with authority to ensure CARB moves forward on various goals in a timely fashion and held accountable for failures.

# Blueprint

Please rate your level of satisfaction or dissatisfaction with the AB 617 Blueprint in terms of providing sufficient guidance on community engagement.

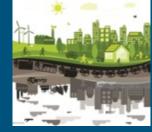


#### Perspectives on the Blueprint



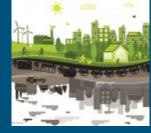
- It needs to be more specific on this question to ensure that the process is community-led and community-driven. Also, CARB sometimes needs to take a step back and let the community decide what's in the CERP, as long as it conforms with the letter and intent of AB617. They required some additions to the X plan which the community didn't ask for, didn't improve the plan, and were technically shaky. (Regional Air District)
- The Blueprint contains some useful suggestions on community engagement, but it is far too rigid and assumes a "one size fits all" approach. It also has many requirements that are burdensome on air districts with little to no community benefit. It seems that air district efforts would be better applied to other things that actually improve the CERPs or CAMPs and their implementation. (Regional Air District)

#### Perspectives on the Blueprint



 The Blueprint should be reviewed with an eye toward revisions based on lessons learned with early implementation of the AB617 process in the first 10 communities. To me, an important lesson learned is because land use decisions are key to many emission reduction plans, engagement of air districts/community steering committees with local land use decision makers is key. (CARB staff)

#### Perspectives on the Blueprint



- Removal of language that did not require air districts to work with community organizations has crippled the core principles of AB617 goals. Draft to final Blueprint replaced "shall" with "may" which air districts used to exclude partnership opportunities. EJ and CBO's have had to fight uphill to participate meaningfully in the AB617 program. (EJ organization)
- Mandate documentation and incorporation of community comments, recommendations, and requests. Include a community participation handbook. CARB sponsor mandatory training and attendance by AQMD's and Communities for compliance with the Blueprint, Appendices, and AB 617 law. (EJ organization)



# Community Steering Committes

### Key Issues in CSC Processes

- Selection Process of Members
- Representativeness of Members
- Meeting Structure and Process
  - Leadership Models
  - Use of a Facilitator
- Consistency of participation
- Use/ impact of participation

Community Steering Committee	Leadership Model
West Oakland	Co-Leadership
Richmond	Co-Leadership, Outside Facilitator
Sacramento - Florin	Community Co-Chairs, District-driven
Shafter	District-Led, Outside Facilitator
South Central Fresno	District-Led, Outside Facilitator
Wilmington / Carson / West Long Beach	District-Led, Outside Facilitator
Boyle Heights / East LA / West Commerce	Outside Facilitator, Community Co-Hosts, District-driven
San Bernardino / Muscoy	Community Co-Hosts, District-driven
Calexico / Heber / El Centro	Co-Leadership Outside facilitator
Portside Environmental Justice Neighborhoods	District-Led, Outside Facilitator



We residents and community members speak for ourselves. We don't need to be prescribed solutions. We need to find community-based solutions and community-driven solutions. So that was our motto coming in and at the very, very beginning, the very first meeting, it was shut down essentially. They're saying, "Well, we'll give you the voice that you need. And we'll tell you what you guys need." The residents felt that and they understood that. It was going to be a very tough battle. – Community Resident (Shafter)



- There was some time where most of the community members didn't feel like we had control of the meeting. And everything was just being pushed onto us. So there was a time where we kind of just took over and-- not took over, but kind of set boundaries on what we wanted to do and how we wanted things to go. And the Air District, the staff is great, so they've been trying to accommodate and work together as close as possible. (Community organization, San Bernardino)
- "So we made a motion to start the agenda of every meeting with a testimony and story from the experts of the community about how this is impacting their health and that we will start the meeting with that tone. And we can remember why we're there." (Community organization, San Bernardino)



 "I think it's incentivized us, and we do always try and engage with the community, especially locally here in [X]. But I think it's incentivized us and encouraged us to build a stronger connection with Air District. And with the local communities that our business affects. So yeah, I think being on calls or seeing meetings where the voice of the community is there, I think that that motivates us to want to build a stronger bridge with the community and with Air District." (Business, Wilmington)

#### **CSC** Perspectives



One of the persons said, "I don't want the fox in the henhouse," considering themselves the hens, and anybody in industry being the evil, the dark side. So then the committee did get formed with people from industry, and I don't know how the decision was made, but it's no one from industry can be a co-lead, which is a-- industry or government can be a co-lead, which is interesting. I'm a resident of this community. I work in this community. I moved here because of my job. It seems strange that you would exclude industry from a co-lead. (Business, Richmond)



"The Steering Committee, at least some, really think that AB 617 in some way provides the Committee with full authority to basically explore, identify, and then implement essentially whatever they would like to do. I think this has evolved over some time with the blueprint and we are all rowing in the same direction for the most part. The roles are more clearly understood. The air district is, ultimately, we have to take to our board the CERP, they are the ones who approve the CERP and then CARB ultimately approves the CERP. It's not the SC. They are more in an advisory role." (Regional Air District)



I think what is significant about AB 617 is, again, that you are wanting to tie it as closely as possible and have a very direct line of input from the community that you're trying to protect. If you look at the past efforts, they have been for the most part fairly top down. I mean, you've got the government's policymakers are developing policies. You implement the policies. Yes, there's always a public process by the fact that we are governments and we need to abide by certain rules to allow engagement from the general public. But I mean, for the most part, it's very top down. The most difficult and challenging thing with AB 617 is ...it's not the technical side. It's not the scientific side. It's really how do you get to a point where you have meaningful and inclusive engagement from the community. (Regional Air District)

#### **Community Perspectives on CARB**



"It's the involvement of CARB. So I think through this legislation, it was almost like-- they were like, "This is Air District's duty." And all you see is blue shirts doing the entire thing, guarding the whole thing. And what's CARB doing? They're in the back of the room. And for us, it was especially concerning because we are a community where most of our pollution come from mobile sources. Air District, as much as they want to do something, can't because of their jurisdictional limitations." (Community Organization, San Bernardino)

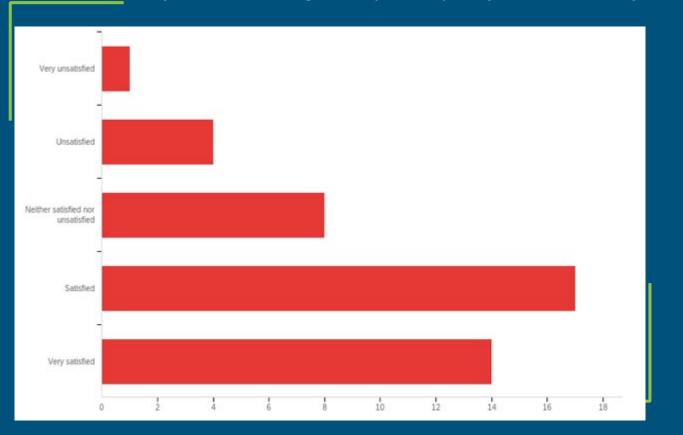
## CAMPs



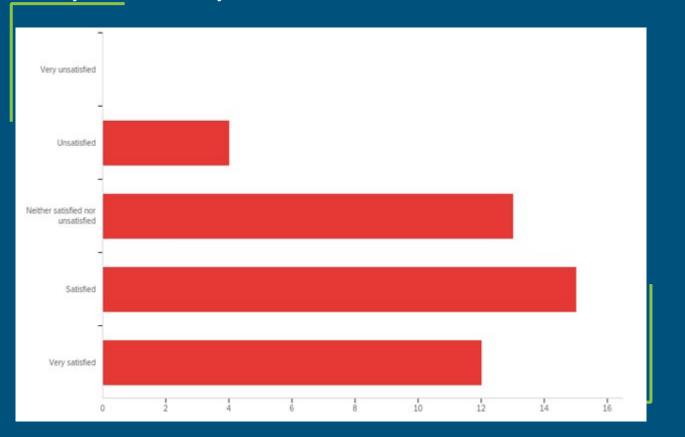
#### CAMPs: Key Issues

- Complexity of technology, technique, and air quality science
- High community interest/participation
- Contested decision-making on monitoring boundaries and locations
- Differing models of monitoring systems: Air District vs. private vs. community monitoring
- Questions on use of data (how well inform CERP)

Please rate your level of satisfaction or dissatisfaction regarding the DEVEOPMENT PROCESS of the Community Air Monitoring Plan (CAMP) for your community.



Please rate your level of satisfaction or dissatisfaction regarding the OUTCOMES from the final CAMP for your community.



#### CAMP Perspectives



"In trying to just talk about air quality in the community, it's really important for the community to understand what all the emissions inventories are and the significance of what I mentioned earlier of mobile sources across different categories versus stationary sources versus area sources, what's really happening in that community. We were extremely responsive early on in pulling together our inventories and mapping." (Air District San Joaquin Valley)

#### **CAMP** Perspectives



"I think it was a total mistake, the timelines that they created, because one year-- I mean, I'm telling you. Four months just to go over the process, and then we're finally going to be able to start delving into monitors and all that. So I think that a more realistic timeline would have been 18, if not 24, months. Because right now, I just feel that they are putting the cart before the horse because we are going to have to draft the emission reduction plans just to meet the timeline of October without even knowing what the monitors are going to tell us, because the monitoring is not happening until the beginning of the summer, so June or something like that. We're not going to have really data of that until a year after." (Community Organization, Fresno)

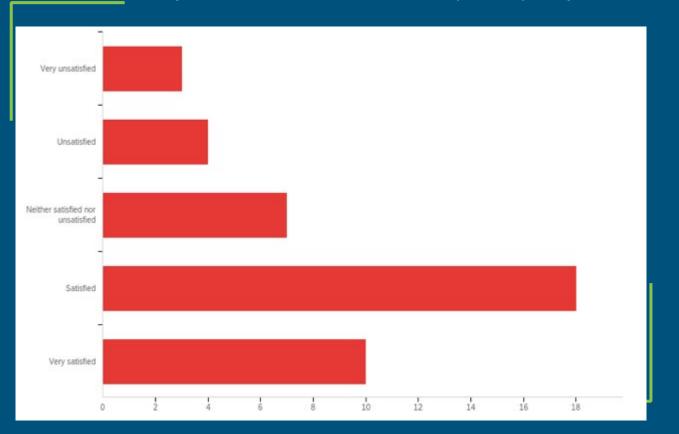
### CERPs

### CERPs: Key Issues

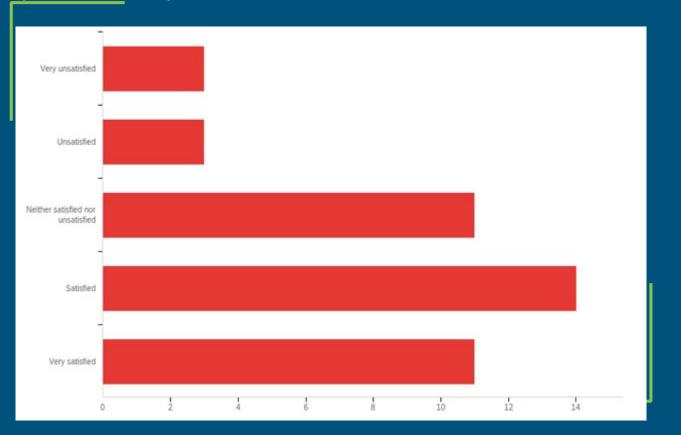


- The extent to which the CERPs address key community issues ( land use, public health)
- The level of participation in the process of development
- The extent to which they reflect community input
- The aggressiveness of the proposed strategies
- The use of incentives vs new rules and enforcement
- Their added value beyond Air Districts' existing projects and plans

Please rate your level of satisfaction or dissatisfaction regarding the development PROCESS of the Community Emissions Reduction Plan (CERP) for your community.



Please rate your level of satisfaction or dissatisfaction regarding the OUTCOMES of the final CERP for your community.





### **CERP** Perspectives: Concerns

- "The various members of the CSC have been very clear in their request to see specific emission reduction targets that include a nexus with community health outcomes. Yet, the draft CERP continues to lack specific emissions reduction targets, let alone targets based on health outcomes." (Community Organization, Boyle Heights)
- "Members of the Community Steering Committee created and submitted a list of 40 strategies for incorporation into the Draft CERP to address these concerns... The Air District incorporated only 1 of the 40 recommended strategies drafted by community residents into the draft CERP...." (Community Organizations & Residents San Joaquin Valley)
- "Currently, the CERP overwhelmingly focuses on education, outreach and enforcement strategies that are necessary and important parts of the plan. However, they must be matched with subsequent emission reduction goals and health outcome targets. A community health assessment must be required to measure the existing health standards baseline in order to have quantifiable goals and targets. (Community Organization San Bernardino)

#### **CERP** Perspectives: Concern



"To be honest and totally honest, I'm kind of disappointed. I don't think it's really-- you could say that we're going to do this and that we're getting community's input and this and that. But at the end of the day it kind of feels like the industry is still winning. And the community is just being thrown a bone like, "We're going to do all this so you feel like we're listening and that we're getting your input." But at the end of the day, this law, this policy, this regulation doesn't have any teeth to it. And it's just something that's fabricated to something for show." (Resident. San Bernardino)

### CERP Perspectives: Concern



"The plan itself I feel like Air District had an idea of what they wanted the plan to look like, and they of course draft that, and then ask for community input, but I think the community may have had another idea of what they wanted the plan to look like. And they're not the pen-holder. And I think the community may have wanted it to be more of an interactive process" -Business Organization San Bernardino

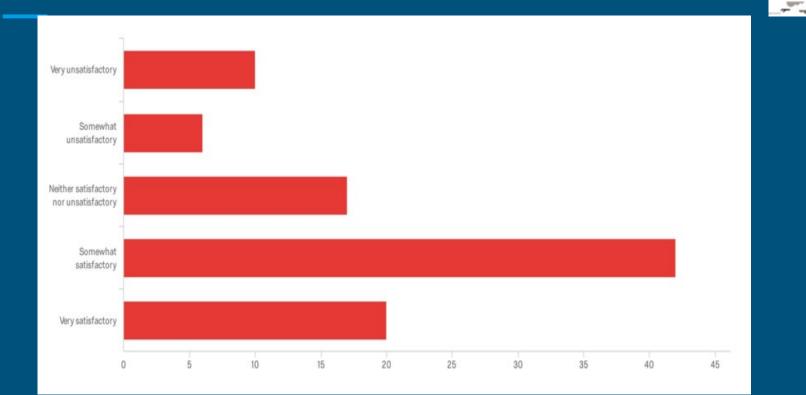
#### CERP Perspective: Qualified Support



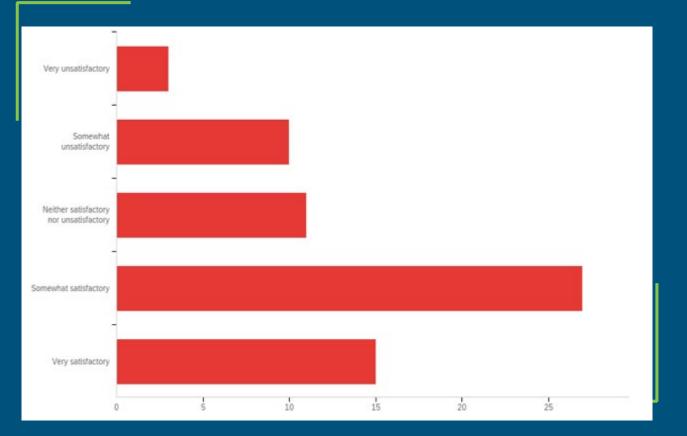
But I think at the end of the day, if the air district, our local air district, approved it and there's rather some positive changes in there, we hope that the state signs off and says, "Here's your blessing." Can and will they make changes? We hope so. There's still some stuff that we want to tweak and we want to improve. But at the end of the day, if the residents walk away with justice served, I think they would be proud of themselves, very proud of themselves. Do they get everything they wanted? No, but they got a lot of what they asked from the very beginning." (Community Organization. Shafter)

### **Environmental Justice**

How would you rate the AB617 process in incorporating environmental justice principles? (Nov 2019-Jan 2019)



### How would you rate the AB617 process in incorporating environmental justice principles? (Feb 2020)



#### Perspectives on EJ (Nov 2018-Jan 2019



As far as bureaucrats go, it is difficult to discern their concern for environmental justice issues. They pay lip service but continue to perpetuate the same systemic issues, despite the incorporation of environmental justice issues into the AB 617 process. Despite this, I chose "somewhat satisfactory" because the inclusion of EJ principles, in of itself, is a big step in the right direction.
*Member of community steering committee: EJ organization affiliated*

Environmental justice is a vague and incendiary term meant to create an "us versus them" status quo. If AB 617 is truly about reducing emissions, its focus should be data driven with a mandate to find the most cost effective way to reduce the greatest emissions. Instead, the process appears to be very politically driven.
*-Industry organization affiliated*

### Perspectives on EJ (Feb 2020)



53

- We need to go back to the blue print and state what "community stake holder's" mean. I don't believe that is working for our CSC since residents or community is not fairly represented at the table. Most members are paid by the organization they work for to participate while we the residents have to take time from our work without pay to participate (Resident)
- The AB617 law can have stronger language on what it means for the Air Pollution Control District to meet the principles of environmental justice. The importance of meeting these principles will help the port, industry and other business understand the need to achieving environmental justice and how these resources can help us achieve those goals. (Industry affiliated)

## Summary

# Factors that Facilitate / Challenge Success



- Type of Air Quality Issue, Underlying Drivers, and Community Context
  - Cookie cutter approach can't work (Ports, pesticides, passenger cars/ Urban, rural, suburban)
- Historical Relationships (Air Districts and Community)
  - Continuum: BAAQMD (collaboration) / South Coast and SJV (long-standing conflicts)/ Imperial (new relationship)
  - Power of industry (Ports; Oil/Gas; Agriculture)
- Capacities (Air Districts, Residents, Advocates)
  - Cultural sensitivity, working on structural racism (Air Districts)
  - Technical (residents)

# Factors that Facilitate / Challenge Success



- Community Engagement & Decision-Making Power
  - Mismatch between community input/ engagement and community decision-making
- Structure and Process of the CSCs
  - Leadership models (co-hosts/ co-leads/ district-driven/ district-led)
- Timeline for each Step in the Process
  - Challenge of using CAMP data for CERPs
- Role of CARB
  - Inadequacy of the Blueprint for community engagement

### **Recommendations/Solutions**

### **Recommendations/Solutions**

- Improve Community Selection Process
  - Avoid competition between communities
  - Use community vetting processes (e.g., San Joaquin Valley collaborative)
- Improve Management of CSC Processes
  - Clarify shared goals (including environmental justice)
  - Adapt a co-leadership process
  - Framework for use of outside facilitators
- Clarify CARB's Role with Air District and with CSCs
  - More proactive, mediating, facilitating collaboration
  - Develop a community engagement element to the Blueprint



### **Recommendations/ Solutions**

- Improve Development of the CAMPs
  - Continued education on technologies
  - Incorporate monitoring by communities
  - Better utilization to inform CERPs
- Improve Development of the CERPs
  - Better incorporation of community priorities
  - Expansion to air quality "drivers" (i.e, land use)
- Develop a Blueprint for community engagement with evaluation lessons
- Consider use of Civil Rights framework (Title VI) to address racial disparities
- Focus on public health (Establish health base-line and change data set)
- Support on-going funding at sufficient levels for current and future communities



## Next Steps

### **Assessing Longer-term Impacts**



- How do CAMPs and CERPs integrate into Air District plans and planning processes?
- How does CAMP and CERP implementation integrate into other entities (e.g., cities and counties)?
- How does the 617 process change the roles of community organizations with Air Districts?
- How does the 617 process change the roles of CARB and Air Districts?
- How do the CERPs change air quality in disadvantaged communities?
- How well are lessons learned from Year 1 integrated into Year 2 communities?

#### **Comments/ Questions**



#### Please send us your feedback!

Jonathan London jklondon@ucdavis.edu

Peter Nguyen pvtnguyen@ucdavis.edu