

**RED** = Legal requirement or established state law or CARB policy  
**Yellow** = Consultation Group may recommend changes, but needs to consult with CARB  
**Green** = Consultation Group can change

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# **AB 617 Community Air Protection Consultation Group**

**Draft Charter**  
**November 2024**

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# Community Air Protection Program Consultation Group Draft Charter

## A. Purpose

The Consultation Group is an advisory body of the California Air Resources Board (CARB or Board) appointed by the Board pursuant to state law. This body's purpose is to advise CARB on development and implementation of the statewide strategy *Blueprint 2.0*<sup>1</sup> for the Community Air Protection Program (CAPP or Program). The Program's mission is to reduce disparities in air quality in the most overburdened communities and enable equity and environmental justice by centering and prioritizing the most disproportionately impacted communities' needs.

CARB staff's role is to administer the Consultation Group and consider and incorporate where feasible Consultation Group advice and all other public engagement in program implementation.

The Community Air Protection Program roots the implementation of Blueprint 2.0 in an equity-centered approach and environmental justice. Under California state law, environmental justice means the fair treatment and meaningful involvement of people of all races, cultures, incomes, and national origins, with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies. (Gov. Code § 65040.12, subd. (e).)

## Comments/Suggestions/Recommendations on Chapter A. Purpose

### Individual comments:

#### 1. Christine Luther Zimmerman

I am concerned that the description of the mission of the Community Air Protection Plan (CAPP) reaches beyond the scope of the enabling statute, and that it is not consistent with the program's focus as described on CARB's CAPP website. I believe it should be deleted from the draft Charter. In particular, language that emphasizes enabling of equity and environmental justice "by centering and prioritizing the most disproportionately impacted communities' needs," and the statement that the CAPP "roots implementation of Blueprint 2.0 in an equity-centered approach" are adapted from Blueprint 2.0 and the People's Blueprint, not from AB 617. Health and Safety Code Section 44391.2 (b) establishes the primary purpose of the CAPP as "reduce[ing] emissions of toxic air contaminants and criteria air pollutants in communities affected by a high cumulative exposure burden". This is an instance where more recently established policy objectives may conflict with statutory requirements, increasing the likelihood of setting unsustainable expectations and distracting CARB, the air districts, the CG, and CAPP stakeholders from the primary objective of achieving emissions reductions in communities selected for AB 617 implementation.

I understand that this section is designated as restricted for purposes of Consultation Group (CG) member comments, the above recommendation would align the statement of purpose with CARB's disclaimers in Section C to "not alter or modify the terms of any law" or "create,

expand, limit, waive, or interpret any legal rights or obligations”.

CARB Interpretation of Comment	CARB Recommendation
Concern that the Program's mission <i>overreaches the statute</i> and may not be consistent with Program's focus as stated on the website.  Recommendation to use AB 617 language directly rather than the given mission statement.	CARB disagrees with the assertion that the Charter's mission language exceeds the scope of AB 617. AB 617 directs CARB to focus on communities with high cumulative exposure burdens, which inherently centers the needs of the most disproportionately impacted communities. Further, AB 617 directs CARB to consult with a range of stakeholder categories, including Environmental Justice organizations. Equity and community partnership are foundational to the program and are reflected in both the statute and the Blueprint 1.0 and 2.0 frameworks developed through extensive public engagement. Additionally, CARB has found through implementing the Community Air Protection Program, centering and prioritizing the needs of the most impacted communities is not a distraction, but an essential element of building trust with communities and collaborating to develop locally-tailored lasting solutions.

## 2. Mary Elizabeth

The footnote 1 is hard to see.

CARB Interpretation of Comment	CARB Recommendation
Recommendation to reformat footnote.	CARB will improve visibility of footnotes.

## B. Background

In response to Assembly Bill (AB) 617 (C. Garcia, Chapter 136, Statutes of 2017),<sup>23</sup> CARB established the Program in 2017 to reduce criteria air pollutants and toxic air contaminant emissions in communities affected by a high cumulative exposure burden. The law requires CARB to develop a statewide strategy, known as the Blueprint, to achieve this goal and to do so in consultation with environmental justice organizations, air districts, affected industry, the Office of Environmental Health Hazard Assessment (OEHHA), the Scientific Review Panel on Toxic Air Contaminants, and other interested stakeholders.

In January 2018, CARB first convened the 17-member Consultation Group to conduct this engagement. The Consultation Group was chaired first by Board Member John Balmes and later by Board Members John Balmes and Davina Hurt and included representatives

required by law, the Scientific Review Panel on Toxic Air Contaminants, air districts, OEHHA, environmental justice organizations, affected industry, and other interested stakeholders, as well as academia, public health organizations, and local and tribal governments. The CARB Board approved the *first Blueprint* in September 2018, which guided Program implementation from then until October 2023.

In the Fall of 2021, a subgroup of environmental justice leaders on the Consultation Group, with facilitation and writing support of CARB, wrote the *People’s Blueprint* that highlights equity, environmental justice, benefits of the co-leadership model, and recommendations to strengthen transparency and accountability for the Program. Throughout 2022, CARB staff engaged with the full Consultation Group about the People’s Blueprint. This engagement significantly informed the *Community Air Protection Program Blueprint 2.0* (Blueprint 2.0), approved by the Board in October 2023. Blueprint 2.0 is CARB’s updated Statewide Strategy and implementation guidance for CARB and air districts to meet Program commitments to the communities currently in the Program while also bringing benefits to *consistently nominated communities*. Blueprint 2.0 calls for the reinvigoration of the Consultation Group by, in part, expanding the membership to include representation of consistently nominated communities.

<sup>1</sup>Blueprint 2.0 is the second iteration of the Program Blueprint is available at: <https://ww2.arb.ca.gov/blueprint-20>.

<sup>2</sup>Modified the California Health and Safety Code, amending § 40920.6, § 42400, and § 42402, and adding § 39607.1, § 40920.8, § 42411, § 42705.5, and §44391.2. Available at: [leginfo.ca.gov/faces/billNavClient.xhtml?bill\\_id=201720180AB617](https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB617)

**Comments/Suggestions/Recommendations on Chapter B. Background**

**Individual comments:**

**1. Walter Shen**

Missing acknowledgement of CSC membership in 2nd paragraph (they should not be grouped as “other interested stakeholders”).

CARB Interpretation of Comment	CARB Recommendation
Recommendation to <i>parse out CSC membership</i> as part of the list of representatives for consultation.	AB 617 statutes do not specify the creation of the "CSC", instead it called for "Consult with, and receive input from, the public, communities recognized by the state board as disadvantaged, and other stakeholders." In the first iteration of the CG, "CSC Membership" was not a defined group when considering membership. The CG was actually formed prior to the formation of most CSCs.] Suggestion to leave text as it is in draft, or acknowledge that now CSC members are a required group in the CG.

## 2. Mary Elizabeth

**2a.** The footnote 23 but I did not find 3 and thank you for the link to amendments.

CARB Interpretation of Comment	CARB Recommendation
Recommendation to visually realign footnote to repair footnote "23"	CARB concurs with this recommendation.

**2b.** The link to the People's Blueprint is good but a footnote with the actual url would be better.

CARB Interpretation of Comment	CARB Recommendation
Recommendation to add full url address.	CARB concurs with this recommendation.

**2c.** I imagine that there were comment letters submitted and wonder where this history is located - if no comment letters were submitted

CARB Interpretation of Comment	CARB Recommendation
Request for access to <i>BP2.0 public comments</i> . Include link to BP2.0 public comment docket. Below is link to comment docket; we also produced a summary. ( <a href="https://www.arb.ca.gov/lispub/comm/iframe_bccommlog.php?listname=ab617blueprint2.0">https://www.arb.ca.gov/lispub/comm/iframe_bccommlog.php?listname=ab617blueprint2.0</a> )	CARB concurs with this recommendation.

## C. Disclaimers

This Charter does not alter or modify the terms of any law and does not constitute legal advice. This Charter is not intended and should not be construed to define the legal relationship between CARB and anyone else. This Charter is not a regulation, and it does not create, expand, limit, waive, or interpret any legal rights or obligations. It does not affect or diminish any rights or protections afforded to any person or entity under any law. Nothing in this document will be construed to prevent CARB from taking timely action to fulfill legal obligations to protect the public health and safety, or the environment; or to carry out federally mandated duties under delegated federal programs. Nothing in this document will be construed to prevent the Consultation Group from taking timely action to fulfill its obligations. The Consultation Group is not a forum for deliberation of issues that are the purview of individual AB 617 Community Steering Committees.

**Individual comments:****1. Mary Elizabeth**

"Nothing in this document will be construed to prevent the Consultation Group from taking timely action to fulfill its obligations" as described in Sections E Goals and G Roles and Responsibilities? Not sure where else obligations are defined.

<b>CARB Interpretation of Comment</b>	<b>CARB Recommendation</b>
Request to define CG "obligations" or point them out as such within the document.	The Charter provides obligations for CG members in various sections throughout the charter document, but they are defined in the charter.

**D. Conflicts of Interest**

Once appointed by the Board and throughout membership, Consultation Group Members must comply with conflict of interest *requirements that apply to advisory committee members*. Under Government Code section 87104, advisory committee members are specifically prohibited from making a formal or informal appearance before, or oral or written communication to CARB for the purpose of influencing a decision by CARB on a contract, grant, loan, license, permit, or other entitlement for use. This means that members of the Consultation Group cannot talk to CARB about a specific CARB or California Environmental Protection Agency (CalEPA) contract or grant with the purpose to influence a decision on that contract or grant. This applies to all communications, which means that advisory committee members also may not be a signatory, administrator, principal investigator, or co-principal investigator on a grant application or contract bid, or on any resulting contract or grant agreement, or sign a letter of support. This only applies to talking to CARB about all CARB and CalEPA contracts or grants, including CARB's Community Air Grants and CalEPA Environmental Justice Grants.

**Individual comments:****1. Mary Elizabeth**

The internet link requirements that apply to advisory committee members works but there should also be a footnote with the actual url <https://ww2.arb.ca.gov/sites/default/files/2022-11/Final%20-%20CARB%20Advisory%20Committee%20Transparency%20Requirements%20-%2010.19.2022.pdf>



CARB Interpretation of Comment	CARB Recommendation
Request to add full url address.	CARB concurs with this recommendation.

## E. Goals

### E.1 Consultation Group Goals

[TBD: Consultation Group will develop this section.]

#### Comments/Suggestions/Recommendations on Chapter E Section 1. Consultation Group Goals

*This section will be discussed during the Consultation Group meeting on 12/3/2025.*

#### Individual comments:

##### 1. Walter Shen

1. From air district perspective: Air districts will balance community needs with programmatic requirements and provide the best practice for community engagement while addressing emission reductions and exposure of the Community Air Program.
2. This section is taken partly from the CARB goals section. Two separate sections for goals can cause confusion, implying two different sets of goals for the Consultation Group and another for CARB.
3. Utilizing their individual, agency or organizational expertise, the Consultation Group is expected to provide insights on emerging issues related to Community Air Protection.
4. Consultation Group is expected to demonstrate knowledge, skills, competencies that elevate Community Air Protection program
5. To increase their knowledge of the Community Air Protection program, the Consultation Group should participate in ongoing learning, and engagement with stakeholder groups.

##### 2. Domingo Vigil

A goal could be to "identify opportunities to enhance program implementation that can inform the next iteration of the Blueprint"

##### 3. Mary Elizabeth

A goal should include periodic evaluations and recommendations for improvement that are available under the statutes what where legislative loopholes, cracks, exist that should be clarified and/or amended.

Another goal should include review of annual survey of Steering Committee groups on issues that may be problematic for their local work. A CARB Goal includes elevate emerging issues but not what the Steering Committee groups think are emerging issues.

##### 4. Janice Lam Snyder

CARB's goals and the Consultation goals should be aligned. There should also be greater specificity regarding what is meant by "broader engagement" in program implementation. Are there particular tasks that should be identified to help guide the group, at least initially?

##### 5. Stephanie Ng

Ensure Alignment with AB 617 Statutory Objectives: CG will offer feedback, perspectives and guidance to CARB regarding development and implementation of Community Air Protection Program and related programs, so they benefit and reach local communities and are complimentary to collective work to improve local air quality

- Advise on implementation of CARB's Blueprint to ensure that the Consultation Group's work, CARB, Air Districts and CSCs remain consistent with AB 617's legally mandated requirements: reducing emissions, exposure, and disparities in disadvantaged communities, and when applicable, using local air quality data captured from community air monitoring networks to drive future work
- Ensure all facets of CAP Program work in unison towards goals of program and that there aren't efforts that are duplicative (ex. CERP development, community air grants, development of training series)

Promote Equitable and Meaningful Community Participation: CG will be a space to discuss impacts of CAP program on disadvantaged communities and development of statewide strategies

- Discuss processes by which priority communities, including residents, community-based organizations, business, local government, air districts and other impacted stakeholders, can share freely and openly their thoughts and experiences

Align Regional/Local Efforts with Broader State and Local Planning

- Ensure that Consultation Group recommendations are coordinated with other CARB and planning efforts (transportation, climate, public health)
- Encourage integration and alignment of CAP efforts with local government initiatives to ensure collaborative efforts to improve air quality

Promote Capacity Building, Education, and Technical Support

- Provide feedback to CARB on any needed tools, resources, trainings, etc are needed to help continuing to build capacity in communities to participate in air quality efforts

Ensure Clear Goals, Accountability, and Action-Oriented Outcomes: CARB and CG will establish clear objectives and priorities for each meeting

- Define specific action items with assigned responsibilities, timelines for completion, and mechanisms for follow-up and accountability

## **6. Prithvi Deore**

Some of the goals under this section can touch upon following:

- Provide Strategic Guidance: Offer informed advice and recommendations to CARB to support the effective development, implementation, and evaluation of Blueprint 2.0, ensuring alignment with the CAPP's objectives.
- Advance Environmental Justice and Center Community Priorities: Elevate the voices, experiences, and needs of the most disproportionately impacted and overburdened communities to guide program design, funding priorities, and policy actions.
- Foster Collaboration and Partnership: Strengthen coordination among communities, local governments, regional planning agencies, air districts, and state agencies to ensure cohesive and

community-driven air protection strategies.

- Promote Community Involvement and Empowerment: Identify opportunities to enhance community engagement in air quality monitoring, data interpretation, and participation in environmental decision-making processes.

- Support Continuous Improvement: Encourage ongoing learning, innovation, and refinement of program strategies to better achieve air quality improvements and reduce disparities across California communities.

## **7. Rodney Andrews**

Speak truth to power by naming barriers, calling out gaps, and putting forward solutions that center frontline communities.

## **8. Rebecca E. Skinner**

Suggested goal for the CG:

To observe and consult with the respective CG members' local CSC, and to discuss and develop a clear list of CSC Best Practices.

## **9. Jonathan London**

While the goal setting should occur in person, here are a few initial suggestions for discussion.

1. To ensure that a diversity of perspectives of CSC members and others from/ representing disadvantaged communities across the California (not only in the designated 617 communities) are reflected in on-going assessment and improvements to the policy and its implementation practices.

2. To provide a forum where diverse, and even divisive issues and perspectives on AB 617 can be heard and discussed in a collaborative and constructive manner.

3. To promote cross learning across the members and their broader communities and organizations.

4. To draw lessons learned from AB 617 implementation to inform other CARB programs as well as other state agency programs.

5. To create a space where community organizations, representing the populations and places most affected by air pollution and with the most to gain or lose through AB 617 implementation have a co-equal voice to regulators and businesses.

6. To offer constructive input to CARB on its proposed new implementation activities and feedback on its outcomes as they play out in specific communities and at the statewide scale.

## **10. Rebecca Skinner left this comment in the question that asked, "Do you have additional goals to add"?**

Yes, I think that periodic regional meetings of CSC members, members of CNC, and CG members would be fruitful. This would not require extensive travel, and could take place in the SF Bay Area, Sacramento, and the San Joaquin Valley.

## **E.2 CARB Goals**

- Ensure Consultation Group advice informs CARB's work to achieve the goals and strategies contained in Blueprint 2.0, including broader engagement on program

implementation.

- Facilitate engagement of CARB divisions that are implementing the Community Air Protection Program with the Consultation Group to inform the Consultation Group about program activities.
- Ensure public information on the Program is accessible to Consultation Group Members to guide their work.
- Elevate emerging issues related to Community Air Protection to the Consultation Group.

## Comments/Suggestions/Recommendations on Chapter E Section 2. CARB Goals

### Individual comments:

#### 1. Mary Elizabeth

**1a.** Ensure public information on the Program is accessible to Consultation Group Members to guide their work" add with sufficient time for review.

CARB Interpretation of Comment	CARB Recommendation
Recommendation to add to the last bullet, "... with sufficient time for review."	CARB concurs with this recommendation.

**1b.** Facilitate engagement of CARB divisions that are implementing the Community Air Protection Program with the Consultation Group to (add regularly) inform the Consultation Group about program activities.

CARB Interpretation of Comment	CARB Recommendation
Recommendation to add "regularly" to second bullet about other CARB division updates.	CARB concurs with this recommendation.

**1c.** Have a communication plan that ensures that Consultation Group Members don't get a "data dump" to fulfill the goal.

CARB Interpretation of Comment	CARB Recommendation
Recommendation to develop a communication plan for regular CARB updates to avoid too much information all at once.	CARB concurs add language, "CARB will develop a communication plan for sharing regular CARB updates to avoid overly frequent email traffic."

#### 2. Walter Shen

**2a.** 1. Update section title to "CARB's Role in Support of Consultation Group"

CARB Interpretation of Comment	CARB Recommendation
Recommendation to change the section title.	CARB concurs with this recommendation

**2b.** 2. CARB should provide some specifics and timelines; especially on deliverables that is expected from air district members. Are we working on the next iteration of Blueprint? Will we be expected to focus on legislative actions in coming years? More guidance here would be good.

CARB Interpretation of Comment	CARB Recommendation
Recommendation to add specific expected CG deliverables timelines to allow sufficient preparation and review time, noting BP3.0 guidance, legislative requests.	Suggested language: "CARB will work with the Co-chairs and Consultation Group to develop priorities, timelines, and work products in a transparent manner."

### 3. Domingo Vigil

Another goal for CARB could be to "Facilitate engagement of other State agencies that could be relevant to the implementation of the Blueprint 2.0 as identified by the Consultation Group

CARB Interpretation of Comment	CARB Recommendation
Recommendation to add a CARB goal to engage with additional CAPP-related agencies.	CARB concurs with this recommendation to add a bullet to say: ""Facilitate engagement of other State agencies that could be relevant to the implementation of the Blueprint 2.0 as identified by the Consultation Group".

### 4. Christine Luther Zimmerman

Consistent with the comment on the Purpose statement in Section A, the first bullet in Section E.2 should be revised to clarify that CARB is responsible for ensuring that CG advice informs CARB's work to achieve the applicable statutory requirements as well as "the goals and strategies contained in Blueprint 2.0."

CARB Interpretation of Comment	CARB Recommendation
Recommendation to change the first bullet to refer specifically to statutory requirements in addition to the already mentioned BP2.0 goals/strategies.	CARB concurs with this recommendation, and notes the Consultation Group's advice will also inform CARB's work towards future blueprint development as well.

### 5. Rebecca E. Skinner

Encourage CG members to engage with their local CSC.

CARB Interpretation of Comment	CARB Recommendation
Recommendation that CARB state a goal to "encourage" CG members to engage with their representative CSC.	CARB concurs with this recommendation.

## F. Membership

F.1 Number of Members

The Consultation Group will be composed of no more than 28 members appointed by the Board, including up to two (2) CARB Board Members who will serve as Co-Chairs of the Consultation Group. There may be up to 26 Alternate members appointed by the Board, each of whom are affiliated with a primary Consultation Group Member, and who may only participate in Consultation Group meetings as a Consultation Group Member if the primary Consultation Group Member notifies CARB staff their Alternate will participate in their place at least 14 days before.

Comments/Suggestions/Recommendations on Chapter F Section 1. Number of Members

Individual comments:

1. Janice Lam Snyder

A 24-hour notice to CARB should be sufficient for an Alternate to participate. At times, last-minute coverage is necessary, and requiring a 14-day advance notice is too restrictive. This could result in unnecessary unexcused absences due to unforeseen circumstances.

CARB Interpretation of Comment	CARB Recommendation
Recommendation to reduce the lead time for alternate participation in place of primary down to 24 hours.	Under Bagley-Keene for CARB to give at least 24 hours notice identifying anyone who will be attending remotely. (See GC 11123.5(d).) So if an alternate will attend, and they will be remote, CARB needs to be notified to update the website more than 24 hours in advance. If we shorten from 14 days, CARB recommends members to confirm attendance and whether they will be remote at least 3 business days before the meeting.

2. Christine Luther Zimmerman

CARB has approved a new CG membership consisting of 28 members - 11 more members than were appointed to the original CG. Several of these additional seats have been assigned to representatives of “consistently nominated communities” (CNCs), designated in Section F.2 as a new category of representation. However, the draft Charter is silent on the appropriate balance of membership to ensure that all stakeholder perspectives are fairly represented on the CG. While I recognize CARB’s intent to expand community representation consistent with Blueprint 2.0 objectives, this expansion, coupled with the community and environmental justice representation carried forward from the inaugural CG, has the potential to further minimize the ability of the few business and industry voices remaining on the CG to advocate effectively. I recommend that CARB clarify for purposes of future solicitations and recommendations for appointment to the CG (Section F.3), including for replacement of members who choose to resign pursuant to Section F.6 or are removed pursuant to Section F.8, that the additional seats designated for CNC representatives are available to community residents, community-based organizations located in a CNC, or to representatives of local businesses and industries.

<b>CARB Interpretation of Comment</b>	<b>CARB Recommendation</b>
Concern about the "appropriate balance of membership to ensure that all stakeholder perspectives are fairly represented on the CG" and that business/industry representation is out of balance, causing their advocacy to be ineffective for the CAPP.	CARB feels there is a need to have adequate representation in perspectives from community steering committee members and representatives from consistently nominated communities, as they represent the primary partners implementing this program across the state. These seats represent less than one third of the total membership, and the diversity of the backgrounds, perspectives, and expertise from the many members ensures that discussions and decisions will be made thoughtfully, with the full input from all perspectives.

### 3. Mary Elizabeth

Not sure why there is a 14 day advance notice if a Consultation Group Member Alternate will be filling in. Are there any time limits for Members without Alternates to contact CARB?

<b>CARB Interpretation of Comment</b>	<b>CARB Recommendation</b>
Recommendation to ensure the fairness of the "14-day advanced notice" requirement between members with alternates and those without one.	Under Bagley-Keene for CARB to give at least 24 hours notice identifying anyone who will be attending remotely. (See GC 11123.5(d).) So if an alternate will attend, and they will be remote, CARB needs to be notified to update the website more than 24 hours in advance. If we shorten from 14 days, CARB recommends members to confirm attendance and whether they will be remote at least 3 business days before the meeting.

## F.2 Qualifications of Members

Consultation Group Members will be qualified based on being a representative from the following categories:

- Academia
- Air Districts
- Business and Industry
- California Native American Tribal Governments
- CARB's Scientific Review Panel on Toxic Air Contaminants
- Community Air Protection Program Community Steering Committees
- Consistently Nominated Communities
- Environmental Justice Organizations
- Local government (or associations of local government)
- OEHHA

**Individual comments:**

**1. Walter Shen**

6th bullet point should be updated to "Community Air Protection Program Community Steering Committee Members"

CARB Interpretation of Comment	CARB Recommendation
Suggestion to add "members" to the end of 6th bullet so as not to include the entire CSC.	CARB concurs with this comment.

**2. Mary Elizabeth**

Of the 28 members there should be at least 1/4 that should be living in affected communities.

CARB Interpretation of Comment	CARB Recommendation
Suggestion to designate CG representation at a minimum of 25% of people from an affected community.	CARB does not feel this is feasible to implement at this stage. The membership has already been seated, and implementing now would have real workability challenges. Additionally verifying and monitoring where members live poses another challenge. CARB assumes the process established in most charters for ensuring participants live or work within the selected community boundaries ensure the membership represents the perspectives and experiences from those communities.

**3. Christine Luther Zimmerman**

Section F.2 should include language that expressly reserves seats on the CG for the various stakeholder categories, including business and industry representatives. For example, the current draft language in Section F.2 could be revised to stipulate that "Consultation Group Members must have representation from each of the following stakeholder groups while prioritizing representation from communities with the highest toxic air contaminant and criteria air pollutant exposure burdens."

CARB Interpretation of Comment	CARB Recommendation
Recommendation to make explicit the number of seats reserved for each representative category.	CARB would recommend preserving flexibility regarding the number of members for each stakeholder group.



F.3 Solicitations and Recommendations for Appointment

CARB staff (Office of Community Air Protection) will issue solicitations for qualified Consultation Group Members to apply for appointment as needed. At the time of application, individuals may submit application materials for themselves and an Alternate member to be appointed along with the Primary member. Applying with an identified Alternate is not required. Members who have previously served on the Consultation Group may reapply.

CARB staff will review the completed applications, and recommend to the Board, Members and/or Alternates to consider for appointment to the Consultation Group who meet the qualifications and priorities described in Section F.2. In its recommendations to the Board, CARB staff will prioritize representation that reflects the diversity of California, including California’s regions, tribal governments, and will prioritize representation from communities with the most significant exposure to air pollution.

Comments/Suggestions/Recommendations on Chapter F Section 3. Solicitations and Recommendations for Appointment

Individual comments:

1. Mary Elizabeth

Spell out how many California regions and quantify prioritization of representation from communities with the most significant exposure to air pollution.

CARB Interpretation of Comment	CARB Recommendation
Recommendation to make explicit the number of seats reserved for each representative category and for each California region.	CARB would recommend preserving flexibility regarding the number of members for each stakeholder group.

F.4 Appointment

The Board will have final authority to appoint each member for the specified term. The Board may delegate authority to the Executive Officer to appoint a replacement member to serve out the remainder of a term for any Board-appointed member or their Alternate who has resigned or been removed.

Comments/Suggestions/Recommendations on Chapter F Section 4. Appointment

No Comments received.

## F.5 Term of Appointment

Members' appointment to the Consultation Group will be for a term of four (4) years that begins on the date the Board adopts the Resolution to appoint the Member to the Consultation Group, or the Executive Officer issues an Executive Order to appoint the Member based on any Board delegation of appointment authority.

### Comments/Suggestions/Recommendations on Chapter F Section 5. Term of Appointment

#### Individual comments:

##### 1. Walter Shen

**1a.** 1. Add number of meetings - in the 4-year term there are "up to" 12 meetings

CARB Interpretation of Comment	CARB Recommendation
Recommendation to specify the total number of meetings over the full term.	The charter specifies in section H.4 Meeting Frequency and Dates the Consultation group will meet 3 times per year.

**1b.** 2. Why is the term 4 years? Why not align to the timing of top goals for BP 2.0? Having a rational term to align with goals would manage expectations from members.

CARB Interpretation of Comment	CARB Recommendation
Recommendation to align the term length with Blueprint goals.	Blueprint 3.0 will be updated in 2028 and the members terms will conclude in June of 2029. The rationale for this timing was to ensure the end of the terms of consultation group was not at the same time as the due date for the due date of the new Blueprint. The charter does clarify members can step down anytime and be replaced.

##### 2. Stephanie Ng Provide reasoning for/explain length of term

CARB Interpretation of Comment	CARB Recommendation
Recommendation to explain the term length in the Charter.	CARB concurs, and proposes the following language can be added: "The four-year term length was established to ensure the term went beyond Blueprint 3.0 deadline. The Blueprint will be updated in 2028 and the members terms will conclude in June of 2029."

F.6 Resignation

Consultation Group Members may resign before their term ends. Members must submit their resignation in writing to the Co-Chairs and CARB Staff Lead. The resignation will take effect on the date of the letter or no later than 10 business days after the letter is submitted to the Co-Chairs and CARB Staff Lead. An Alternate for a Primary member who has resigned may choose to resign along with the Primary member or choose to serve out the remainder of the Primary member’s term.

Comments/Suggestions/Recommendations on Chapter F Section 6. Resignation

Individual comments:

1. Walter Shen

Recommend to add statement that if member is no longer w/ air agency, business or community or other categories of Section F.2, they should automatically resign or forfeit position.

CARB Interpretation of Comment	CARB Recommendation
Recommendation to specify agency and business members must resign or be removed if they are not in continued employment by their representative agency/industry as indicated on their application.	CARB concurs with the recommendation to specify that if a member no longer has an affiliation that qualifies for the CG, the member will be asked to resign.

F.7 Absences

Consultation Group Members must notify CARB staff of a planned absence from a meeting at least 14 days before a meeting and identify whether their Alternate will participate in the meeting in their place. A Consultation Group Member who notifies CARB staff less than 14 days before a meeting that they and their Alternate cannot attend a meeting must request an excused absence. An excused absence may include events such as illness, family illness, emergency, and/or the death of a loved one. Consultation Group Members who miss two consecutive meetings without excused absences will be automatically removed under section F.8.

Comments/Suggestions/Recommendations on Chapter F Section 7. Absences

Individual comments:

1. Janice Lam Snyder

A 24-hour notice to CARB should be sufficient for an Alternate to participate. At times, last-minute coverage is necessary, and requiring a 14-day advance notice is too restrictive. This could result in unnecessary unexcused absences due to unforeseen circumstances.

CARB Interpretation of Comment	CARB Recommendation
Recommendation to reduce the lead time for alternate participation in place of primary down to 24 hours.	Under Bagley-Keene for CARB to give at least 24 hours notice identifying anyone who will be attending remotely. (See GC 11123.5(d).) So if an alternate will attend, and they will be remote, CARB needs to be notified to update the website more than 24 hours in advance. If we shorten from 14 days, CARB recommends members to confirm attendance and whether they will be remote at least 3 business days before the meeting.

## 2. Mary Elizabeth

I think there are about 4 meetings in a year (16 meetings per term) and I think if absent twice in the term without an excused absence AND less than 14 days (why not 7 days?) should be removed. A person could serve in the position and miss every other meeting for their term and not be removed seems like that position would not be well represented.

CARB Interpretation of Comment	CARB Recommendation
Recommendation to change the number of absences allowed to 2/term (rather than consecutive) and to reduce the days in advance to grant an "excused absence" to 7.	CARB recommends the language be amended to two consecutive meetings, or two meetings in one year.

## F.8 Removal

A member of the Consultation Group may be removed under one of the following circumstances:

- **Removal by the Board:** The Board may consider for approval removing a Consultation Group Member for any reason authorized by law and based on reasonable cause for not meeting Consultation Group Membership requirements described in section G.3. Reasonable cause may not include any policy position taken by the member in his or her capacity as a member of the Consultation Group. During a Consultation Group meeting, two-thirds (2/3) of the members present may vote to recommend to the Board the removal of a member based upon facts showing reasonable cause for removal for not meeting Consultation Group membership requirements in section G.3. CARB staff shall bring a Consultation Group proposed removal for consideration to the Board.
- **Automatic Removal:** A Consultation Group Member who misses two (2) consecutive Consultation Group meetings in a calendar year without an excused absence or communication with CARB will be automatically removed as of the date of the second meeting that the Consultation Group Member does not attend. The Alternate member associated with that Primary member will also be automatically removed. CARB staff will send written notice to the Primary member following one (1) missed meeting without an excused absence that a second unexcused absence from the next

meeting will result in automatic removal.

## Comments/Suggestions/Recommendations on Chapter F Section 8. Removal

### Individual comments:

#### 1. Mary Elizabeth

**1a.** Here the two consecutive meeting absences (not including an excused absence) is in a calendar year. I think the consecutive term should be removed given the infrequency of meeting and that an excused absence is not required with 14 days advance notice.

CARB Interpretation of Comment	CARB Recommendation
Recommendation to remove "consecutive" from the attendance requirements due to the infrequent CG meetings.	CARB recommends the language be amended to two consecutive meetings, or two meetings in one year.

**1b.** As there is a reference to authorized by law there should be a footnote explaining these laws. Thank you for specifying that a policy position in conflict does not constitute reasonable cause.

CARB Interpretation of Comment	CARB Recommendation
Recommendation to add a footnote to describe the meaning of this: "...consider for approval removing a Consultation Group Member for any reason authorized by law..."	CARB concurs with this recommendation.

#### 2. Christine Luther Zimmerman

Members can be removed by the Board based on a two-thirds vote of the CG for "reasonable cause," defined as failure to meet the GC membership requirements in Section G.3. This section stipulates that "reasonable cause" does not include any policy position taken by the member, but there is room for interpretation of the Section G.3 requirements, particularly the requirement that members "not engage in any behavior that is "discriminatory, or harassing as defined under CARB's Workplace Violence Prevention Program and its Civil Rights Policy." I recommend that CARB provide additional guidance to the CG regarding compliance with these policies, including case studies, to establish a clear and consistent understanding of the kinds of behaviors that could be considered grounds for removal from the CG. Given the expansion in CG membership to include representatives of CNCs, and how that action will change the balance of representation among stakeholder categories, it is essential that all CG members have a clear understanding of how this authority should be exercised.

<b>CARB Interpretation of Comment</b>	<b>CARB Recommendation</b>
Recommendation to make clear what "reasonable cause" means and to provide guidance on how to comply with the Workplace Violence Prevention Program and its Civil Rights Policy. Request to provide case studies to help exemplify.	CARB proposes to add a footnote with a hyperlink to CARB's Workplace Violence Prevention and Civil Rights Policy. CARB does not feel it is necessary to develop case studies, but if there are further questions about what constitutes "discriminatory, or harassing as defined under CARB's Workplace Violence Prevention Program and its Civil Rights Policy," these questions can be sent to CARB legal staff for further clarification.

### 3. Y'Anad Burrell

The term 'reasonable cause' is not defined.

<b>CARB Interpretation of Comment</b>	<b>CARB Recommendation</b>
Recommendation to define "reasonable cause".	The criteria defining "reasonable cause" is defined as not meeting consultation group requirements in section G.3

F.9 Alternates

- Alternates will be appointed by the Board, or by the Executive Officer where consistent with a Board delegation, in the same manner as Consultation Group Members.
- Members will brief Alternates as reasonably possible so that Alternates can participate effectively in meetings when necessary.
- Alternates must comply with all provisions of this Charter in the same manner as the Primary member.

Comments/Suggestions/Recommendations on Chapter F Section 9. Alternates

Individual comments:

1. Rodney Andrews

I agree with the existing language regarding the appointment of alternates by the Board or Executive Officer. However, I recommend extending the appointment period to allow alternates to be appointed up until the third meeting session of the new year. This adjustment would provide additional flexibility and ensure that new alternates can be integrated at the beginning of the year when participation and scheduling changes often occur.

CARB Interpretation of Comment	CARB Recommendation
Recommendation to allow primary members to designate an alternate member beyond the initial Board appointment, suggests until the third meeting.	Alternates can be established at any time. The only requirement is that the alternate meets the same requirements of primary members. Alternates can be proposed by members, but must be appointed by the Board or EO.

2. Mary Elizabeth

There should be a provision that allows an Alternate to resign without affecting the appointed Member and for a Member to recommend that their Alternate be removed.

CARB Interpretation of Comment	CARB Recommendation
<p>Recommendation to specify the process of Alternate resignation [and replacement].</p>	<p>CARB concurs, and suggest alternate resignations to the charter using a version of language below:</p> <p>Alternate Resignation  An Alternate may resign independently of their Primary Consultation Group Member.  To resign, the Alternate must submit a written resignation notice to the Primary Member, the Co-Chairs and CARB Staff.</p> <p>The resignation will take effect on the date specified in the resignation letter, or no later than ten business days after submission if no date is specified. The resignation of an Alternate does not affect the appointment or term of the Primary Member.</p> <p>A Primary Member may also recommend that their Alternate be removed by submitting a written request to CARB staff. CARB staff will review the request and determine whether to recommend a replacement Alternate to the Board or Executive Officer, consistent with Section F.4.</p>



# G.Roles and Responsibilities

## G.1 Co-Chairs

The Consultation Group is co-chaired by at least one (1) and up to two (2) CARB Board members. The Board shall appoint Co-Chairs to the Consultation Group to terms no longer than the Co-Chair’s term for appointment to the Board.

The Co-Chairs’ principal roles are to manage and facilitate constructive dialogue in Consultation Group meetings and development of relevant agendas. This includes seeking to resolve conflicts that arise during Consultation Group meetings, ensure adherence to meeting agreements in these meetings, and ensure agenda development based on the interests expressed by Members. If neither Co-Chair is available to facilitate a meeting, the Board Chair may designate an Alternate Co-Chair from among the CARB Board, or CARB staff or their contractor, may facilitate the meeting.

Comments/Suggestions/Recommendations on Chapter G Section 1. Co-Chairs

Individual comments:

1. Mary Elizabeth

1a. Just like the Member's responsibility to keep the Alternate informed there should be a similar requirement for an Alternate Co-Chair to be kept informed.

CARB Interpretation of Comment	CARB Recommendation
Recommendation to provide language that Co-Chairs will keep each other informed.	In the event that one Co-Chair is unable to attend a Consultation Group meeting, CARB will keep them informed of meeting details, action items, and any relevant updates to ensure continuity in facilitation and leadership.

1b. Will there be a contractor facilitator at each meeting?

CARB Interpretation of Comment	CARB Recommendation
Question about potential contracted facilitation.	Section G.5 specifies, “Neutral third-party facilitation and language access services for Consultation Group meetings may be provided, consistent with the law and available resources.” CARB does not currently have a facilitation contract in place for 2026, but if the need arises, it is something that could be considered in the future.

## G.2 Lead Members

Up to three (3) Consultation Group Members may work with the Co-Chairs, CARB staff, and a facilitation team if resources allow, to prepare meeting agendas, and strategize on the general direction, calendar, and work planning for the full Consultation Group in between each meeting.<sup>1</sup>

Lead members will be identified on an ad hoc basis at each meeting based on members who volunteer to staff during the meeting. If more than three (3) members volunteer, CARB staff will select three (3) members from those volunteers to be a Lead member with the goal to maximize different stakeholder perspectives, if feasible. A Consultation Group Member may be a Lead member to help prepare for the next meeting for only one (1) meeting per year.

### Comments/Suggestions/Recommendations on Chapter G Section 2. Lead Members

#### Individual comments:

##### 1. Y'Anad Burrell

It states 'if resources allow' then up to 3 consultation group members can work with the Co-Chairs. Without the voice of consultation group members working with the co-chairs, it can become a monolithic environment. Resources need to be there so there is a community voice.

CARB Interpretation of Comment	CARB Recommendation
Concern that resource constraints are not appropriate for this case because CG members need be involved with agenda-setting.	CARB concurs to remove the language "if resources allow" from G.2.

##### 2. Christine Luther Zimmerman

This section specifies that no more than three CG members may participate with co-chairs and CARB staff (and potentially a facilitation team) in agenda setting and work planning. The process for identifying those members is described as "ad-hoc," based on who volunteers, but the draft Charter also limits this "lead member" status to one time per year. While I appreciate CARB's desire to engage more CG members in agenda setting and work planning by rotating the lead member role, the final Charter should include an exception for the same individual(s) to serve in this capacity more than one time per year if other members do not volunteer, as was the case for many of the prior CG planning meetings.

CARB Interpretation of Comment	CARB Recommendation
Concern that limiting member participation in agenda-setting to once/year will be ineffective if the volunteers do not provide enough variety.  Recommendation to provide language for more flexibility.	CARB concurs with adding the language "... unless there are no other CG members available as a lead."

### G.3. Member Requirements

All Consultation Group Members must comply with the following requirements when acting in their Consultation Group Member role. Failures to comply may result in the member being subject to removal by the Board, or recommendation to the Board for removal by a two-thirds (2/3) Consultation Group vote, pursuant to section F.8. Membership requirements include to:

- Provide true and accurate information in applications regarding qualifications for membership.
- Take the ethics training provided by CARB staff.
- Comply with all applicable laws.
- Not engage in any behavior that is violent, discriminatory, or harassing as defined under CARB's Workplace Violence Prevention Program and its Civil Rights Policy.
- Comply with Government Code section 87104. Where CARB staff have reasonable cause to believe a member engaged in multiple instances of non-compliance with this statute there is reasonable cause for removal.
- Attend and participate as appropriate to support the Consultation Group to function effectively. A Consultation Group Member who misses two consecutive meetings without an excused absence will be automatically removed from the Consultation Group along with their Alternate.

#### Comments/Suggestions/Recommendations on Chapter G Section 3. Member Requirements

##### Individual comments:

##### 1. Mary Elizabeth

**1a.** Have I taken the ethics training provided by CARB Staff? - if so there should be a reference to what that training entails.

CARB Interpretation of Comment	CARB Recommendation
Recommendation to make explicit and reference the provided ethics training.	CARB concurs, and will provide CG members with "ethics training" access outside of charter language.

**1b.** There should be a footnote to CARB's Workplace Violence Prevention Program and its Civil Rights Policy.

CARB Interpretation of Comment	CARB Recommendation
Recommendation to add a footnote referencing the Workplace Violence Prevention Program and its Civil Rights Policy.	CARB concurs, and can add link and/or footnote with url written out.

**1c.** Footnote to Government Code Section 87104.

<b>CARB Interpretation of Comment</b>	<b>CARB Recommendation</b>
Recommendation to reference in a footnote Government Code section 87104.	CARB concurs, and can add link and/or footnote with url written out.

**1d.** Looking again at F.8 if removal of a Primary Member also include their Alternate then there should be a reference in F.8 that the Alternate will be removed with the Primary Member. Continue thought that 2 meetings in a year without 14 days notice and an excused absence should warrant removal.

<b>CARB Interpretation of Comment</b>	<b>CARB Recommendation</b>
Recommendation that section F.8 should refer to this section, G.3 and make clear that an Alternate would be removed along with [resignation] or removal of the Primary member.	CARB recommends leaving this discretionary. There are many circumstances a member may need to step down, and the alternate may assume the role of the primary membership role in some circumstances.

## **G.4 Member Expectations**

All Consultation Group Members are expected to comply with the following during their work as an advisory committee member:

- a. Consultation Group Members should strive to act in accordance with agreed upon meeting agreements in section H.3 to support effective discussions for developing advice.
- b. Consultation Group Members are expected to regularly communicate information about Consultation Group matters to their respective constituencies and actively seek perspectives to share in Consultation Group discussions.
- c. Members cannot speak on behalf of CARB the agency to external parties.

## **Comments/Suggestions/Recommendations on Chapter G Section 4. Member Expectations**

### **Individual comments:**

#### **1. Mary Elizabeth**

Failure to follow Member Expectations constitutes grounds for removal?

<b>CARB Interpretation of Comment</b>	<b>CARB Recommendation</b>
Recommendation to consider adding, "Failure to follow Member Expectations constitutes grounds for removal."	CARB concurs, and can add the language "failure to follow Member Expectations may result in removal."

G.5 CARB Staff

The CARB team, as described in this Charter, serves as the point of contact for Consultation Group Members and public inquiries about the Consultation Group. The CARB team, subject to available resources and state law, will also support the administrative needs of the Co-Chairs and Consultation Group. The CARB team is responsible for providing reasonable assistance to the Consultation Group as it advises CARB on pertinent matters within its jurisdiction as described in this Charter and consistent with available resources and state law.

Neutral third-party facilitation and language access services for Consultation Group meetings may be provided, consistent with the law and available resources.

CARB will make every effort to provide reasonable accommodations and accessibility to those who request it, consistent with the law and available resources.

The CARB team will be responsible for the following:

- Hosting Consultation Group meetings compliant with the Bagley-Keene Open Meeting Act, including posting finalized agendas.
- Preparation for each Consultation Group meeting including preparation and posting of meeting records on CARB’s website and gathering relevant information, if feasible and available, for members for their meetings.
- Preparation and posting on CARB’s website all documents and materials staff determine relevant to the Consultation Group.
- Maintenance of a current roster of members on CARB’s website, verified at least annually.
- Coordination of language access services for meetings.
- Tracking and maintenance of Member meeting attendance records.
- Coordination of Member travel arrangements for meetings, and administration of per diems and reimbursement of travel expenses for Consultation Group Members.
- Work with Co-Chairs and Consultation Group Members to address any issues or conflicts.

Comments/Suggestions/Recommendations on Chapter G Section 5. CARB Staff

Individual comments:

1. Janice Lam Snyder

Add: CARB should make all reasonable efforts to schedule dates that will accommodate as many consultation members as possible.

CARB Interpretation of Comment	CARB Recommendation
Recommendation to add a responsibility to accommodate CG members' availability when scheduling meetings, to the extent possible.	CARB concurs, and can add the language, "CARB staff will make reasonable efforts to schedule meeting dates that will accommodate as many consultation group members as possible."

## 2. Christine Luther Zimmerman

Consistent with agenda setting requirements in Section H.6, to promote CG effectiveness, and to respect the substantial time commitment of CG members, Section G.5 should specify that CARB staff are responsible for ensuring that the CG agenda and discussion of agenda items during CG meetings remains within the scope of the statute. This section should also direct CARB staff to interject in the planning process or CG discussions as necessary and advise CG members on how best to realign those activities with AB 617 requirements.

CARB Interpretation of Comment	CARB Recommendation
Recommendation to add a responsibility to ensure agenda topics fall within CAPP statutes.  Also, to hold staff responsible for ensuring CG member discussions are focused on CAPP statutory matters, realigning when topics veer away.	CARB concurs with this comment

## 3. Mary Elizabeth

What are some examples of public inquiries?

CARB Interpretation of Comment	CARB Recommendation
Recommendation to provide examples of a public inquiry [in the document or during training?].	CARB concurs, and can we add language, ",such as ". . . Public Records Act requests, or other inquiries from members of the public."

# H.Meetings

## H.1 Quorum

Consultation Group meetings will occur with a quorum of members present, consistent with the Bagley-Keene Open Meetings Act. A quorum is half of the number of total Consultation Group Members, plus one and is the minimum number of Consultation Group Members required to hold a meeting and a vote on an action item on the agenda.

Comments/Suggestions/Recommendations on Chapter H Section 1. Quorum

Individual comments:

1. Mary Elizabeth

Please provide reference to Bagley-Keen Open Meeting Act.

CARB Interpretation of Comment	CARB Recommendation
Recommendation to reference B-K language.	CARB concurs, and will add footnote to B-K Open Meetings Act. <a href="https://oag.ca.gov/system/files/media/bk-open-meeting-act-guide-2024.pdf">https://oag.ca.gov/system/files/media/bk-open-meeting-act-guide-2024.pdf</a>

## H.2 Open Meetings

The Consultation Group is a "state body" defined under the Bagley-Keene Open Meeting Act (Gov. Code, § 11120, et seq., 11121, subd. (a), (c), and (d).) A quorum of Consultation Group Members must meet in public meetings that are compliant with the Bagley-Keene Open Meeting Act, including the requirements for an agenda publicly noticed at least ten days in advance and allow the public to watch or hear the meeting and make public comments on each discussion item.

Members may not meet as a quorum outside of a public meeting and discuss matters within their jurisdiction.

The Consultation Group may vote to create a subcommittee state body, as defined under the Bagley-Keene Open Meeting Act, subject to approval of those appointments by the Board.

Comments/Suggestions/Recommendations on Chapter H Section 2. Open Meetings

Individual comments:

1. Mary Elizabeth

Please clarify the difference between an ad hoc committee not subject to open meeting requirements for purpose of agenda preparation and subcommittee state body  
<https://oag.ca.gov/system/files/media/bk-open-meeting-act-guide-2024.pdf>  
If not communicating as a smaller subcommittee a ""group"" of members less than a quorum can communicate with Staff in compliance with Open Meeting rules?

CARB Interpretation of Comment	CARB Recommendation
Recommendation to provide clarity/definition of an "ad hoc" committee versus/and a "subcommittee" and clarify the situations when it is in B-K compliance for a small group of CG members to communicate with CARB staff.	CARB will add a footnote with a link to AGO's Bagley-Keene website: <a href="https://oag.ca.gov/open-meetings">https://oag.ca.gov/open-meetings</a>

### H.3 Meeting Agreements

[This section to be developed by the Consultation Group.]

#### Comments/Suggestions/Recommendations on Chapter H Section 3. Meeting Agreements

##### Individual comments:

##### 1. Domingo Vigil

"Be an engaged and active participant in discussions" "Be mindful of sharing time with other members; speak up to share thoughts and feedback, and step back to allow others to also participate."

##### 2. Walter Shen

1. Practice active listening.
2. Encourage respectful dialogue
3. Be aware of others comfort zones.
4. Be open to learning new things in new ways
5. Be compassionate; try to understand other people's feelings.
6. Remember anyone can say anything that is a trigger for someone else.

##### 3. Jonathan London

As with the goals this section should be developed at the Group meeting itself, but here are a few ideas.

1. While there should be open space for all members to speak, special care should be taken to ensure that the community organizations directly representing the impacted communities have adequate opportunities to share their perspectives and have these be taken seriously by CARB and other members of the Consultation Group.
2. While all manner of comments are welcome, there should be encouragement for people to include constructive recommendations in addition to criticism.
3. [left blank]

##### 4. Stephanie Ng

Commit to consistent engagement: Strive to attend meetings, ensuring primary and alternate members stay informed on ongoing processes and developments to ensure meaningful and effective participation



## 5. Mary Elizabeth

Share the Air - make sure that all the appointed members have an opportunity to share their perspective.

Value everyone's voice and unique contribution - make sure that everyone is listening respectfully when someone without the same level of experience shares their ideas without dismissing. Listen to comments seeking to understand perspectives. Assume good intentions first.

Readily recognize if what was said could be viewed as attacking and engage in efforts to clarify meaning.

Be open to discussions that challenge the status quo

No personal attacks - like you people

Everyone is responsible for helping each other follow the meeting agreements - not just the facilitator

At the end of the meeting go through the agreements and note where there could have been some improvements - living and learning

Practice broaching difficult conversations with a standard preamble script

Be willing to stay on topic and on time

Have a standard way to deal with topics that need more discussion than there is time.

Come to the meeting prepared by reviewing the agenda and supporting material prior to the meeting

Have an opportunity to ask process questions before specific topic questions

## H.4 Meeting Frequency and Dates

The Consultation Group will meet as a quorum no more than three (3) times per year. When scheduling Consultation Group meetings, CARB staff shall consider rulemaking comment periods, statutory and legislative deadlines, and dates of other CAPP events.

### Comments/Suggestions/Recommendations on Chapter H Section 4. Meeting Frequency and Dates

#### Individual comments:

##### 1. Walter Shen

**1a.** 1. The three meetings shall be scheduled for no less once every four months:

- a. January - April
- b. May - August
- c. September - December.

<b>CARB Interpretation of Comment</b>	<b>CARB Recommendation</b>
Recommendation to add timeframes for meetings - to ensure they are spread throughout the year.	CARB recommends to retain flexibility to ensure times that work for the membership and don't conflict with the many other program meetings happening across the state.

**1b.** 2. Meetings will be scheduled on the day of the week for the amount of time - Inclusion of information about how long the meeting shall be, inclusion of amount of time.

<b>CARB Interpretation of Comment</b>	<b>CARB Recommendation</b>
Recommendation to include possible meeting days and length of meetings.	CARB recommends to retain flexibility to ensure times that work for the membership and don't conflict with the many other program meetings happening across the state.

**1c.** 3. New Consultation Group members are expected to participate in an onboarding process prior to their first meeting; that process would be scheduled and facilitated by CARB staff.

<b>CARB Interpretation of Comment</b>	<b>CARB Recommendation</b>
Recommendation to add that CARB staff will design and facilitate onboarding of new CG members.	CARB concurs, and will add language that CARB staff will be responsible for onboarding new CG members.

## 2. Mary Elizabeth

Okay - take back four times a year as this section states that the group will meet no more than three times a year so missing 2 meetings nonconsecutively should be basis for removal as that could constitute 2/3 of time. I understand that these 3 meetings are "as a quorum" but what about those other meetings - like the one planned in November to review findings of a program evaluation. Will members be rejected if a quorum could form due to high attendance? This meeting is all about the program so it would be hard to classify otherwise.

<b>CARB Interpretation of Comment</b>	<b>CARB Recommendation</b>
Recommendation to consider how to approach CG member absences not only for CSC meetings, but also for ad hoc or subcommittee meetings.	CARB's legal team will CARB staff on meetings where a quorum of members could be in attendance, to ensure there are no violations of the Begley-Keane Act.

## H.5 Meeting Locations and Format

In-person Consultation Group meetings will be held either at the CalEPA Headquarters building in Sacramento or the CARB Headquarters Building in Riverside. Meeting formats may be in-person, or hybrid, where allowed by law. Under current law all Consultation Group members may appear virtually subject to the requirements of the Bagley-Keene Open Meetings Act. Requirements for virtual or in-person attendance are subject to change based on applicable law. CARB will make every effort to notify Consultation Group members of any changes in the law regarding meeting participation.

### Comments/Suggestions/Recommendations on Chapter H Section 5. Meeting Locations and Format

*No Comments Received.*

## H.6 Agenda Setting

Time will be set aside at each meeting to develop a draft agenda for the next meeting. Informal polls will be used to assess the level of interest in potential topics. Agendas will be finalized by the Lead Members and Co-Chairs, with the assistance of CARB staff. Staff may adjust the agenda based on the availability of requested information or speakers.

Up to three (3) Consultation Group Members may work with the Co-Chairs, CARB staff, and a facilitation team if resources allow, to prepare meeting agendas, and strategize on the general direction, calendar, and work planning for the full Consultation Group in between each meeting.<sup>1</sup>

Lead members will be identified on an ad hoc basis at each meeting based on members who volunteer to staff during the meeting. If more than three (3) members volunteer, CARB staff will select three (3) members from those volunteers to be a Lead member with the goal to maximize different stakeholder perspectives, if feasible. A Consultation Group Member may be a Lead member to help prepare for the next meeting for only one (1) meeting per year.

### Comments/Suggestions/Recommendations on Chapter H Section 6. Agenda Setting

#### Individual comments:

##### 1. Walter Shen

##### 1a. 1. Topics should include subject matters relevant to Community Air Protection Program

CARB Interpretation of Comment	CARB Recommendation
Recommendation to add that Agenda topics must be relevant to the CAPP.	CARB concurs, and can add this language into H.6: "Agenda items must be relevant to the goals and scope of the Community Air Protection Program."

##### 1b. 2. Documents should be provided to Consultation Group members at least 14 days before so that members can have sufficient time to review prior to meeting

<b>CARB Interpretation of Comment</b>	<b>CARB Recommendation</b>
Recommendation to add that meeting materials will be provided 14 days in advance.	CARB partially concurs, and suggests the language: "CARB will strive to send materials 14 days in advance to meetings, but will send no later than 7 days before the meeting."

**1c. 3.** As this is a Consultation Group, time should be set aside in each meeting for dialogue and discussion within the meeting time. AN effort should be made to limit the amount of time dedicated for presentations.

<b>CARB Interpretation of Comment</b>	<b>CARB Recommendation</b>
Recommendation to add language stating that the meeting agendas will limit presentation time and provide ample time for discussion.	CARB concurs, and can add language that states, "Agendas should also ensure adequate time is reserved for meaningful Consultation Group discussion".

## 2. Mary Elizabeth

Should include the same language as G.2 Lead Members and ad hoc committee.

<b>CARB Interpretation of Comment</b>	<b>CARB Recommendation</b>
Recommendation to add "lead member" language to this section, in addition to G.2.	CARB concurs, and can add the following language: "As referenced in section G.2., up to three (3) Consultation Group Members may be selected to prepare meeting agendas and strategize general direction, calendar, and work planning for the full Consultation Group in between each meeting."

## H.7 Decision-Making

The Consultation Group is a state body with only advisory authority.

Meetings serve as an opportunity for constructive dialogue among Consultation Group Members and with CARB staff. Meetings are the location where Members will discuss and develop the Consultation Group's formal advice to the Board and its staff. The Consultation Group is not required to develop formal advice through individual member votes. The Consultation Group may develop informal consensus that will not be considered formal advice of the whole Consultation Group - by identifying areas of agreement and disagreement as documented by staff in meeting minutes.

The Consultation Group must approve its formal advice, including recommendations to remove a member, to the Board by listing the topic as an action item in its meeting agenda notice, discussing the item at the meeting, hearing public comment, and approving or rejecting the advice by a majority vote consistent with the Bagley-Keene Open Meeting Act.

Prior to votes, informal polling or other means to quickly understand the range of support for a given proposed recommendation may be taken. When the Consultation Group takes a vote to decide an action, each member in attendance shall have one vote.

Eligible, voting members must vote as an individual, either by voice or official voting mechanism used for action (e.g. poll, survey, etc.). A "majority" means half of the total Consultation Group Members present at a meeting, plus one. For actions to recommend removal of a member, the action shall be approved by a two-thirds (2/3) vote. No action can take place at any Consultation Group meeting unless a quorum (majority of members) is present. No action by the Consultation Group can occur on matters not listed on the final meeting agenda.

A majority of the members present at a meeting, whether or not a quorum is present, may adjourn the meeting to another time and place, consistent with the Bagley-Keene Open Meeting Act. While performing these duties and responsibilities, the Consultation Group shall act in an advisory capacity to the CARB Board. CARB staff will consider all perspectives shared by Consultation Group Members, as well as comments provided during the public comment portion of Consultation Group meetings, as appropriate.

The CARB Board shall maintain all policy, legal, and program decision-making authority of CARB.

## Comments/Suggestions/Recommendations on Chapter H Section 7. Decision Making

### Individual comments:

#### 1. Mary Elizabeth

The Consultation Group is advisory through development of formal advice to the Board and its staff. This formal advice to the Board and its staff should specify that public comments are considered by the Consultation Group not just considered by CARB staff. An action such as that an issue will be considered at a later meeting for matters not on the final agenda for the meeting should be allowed.

CARB Interpretation of Comment	CARB Recommendation
Recommendation to include language stating that CG members consider public comments in addition to staff.	CARB concurs, and can add the following language: "The Consultation Group will also consider public comments received during meetings when forming its input and recommendations."

H.8 Records

CARB staff shall work with Co-Chairs and Lead Members to develop agendas for Consultation Group meetings.

Following each Consultation Group meeting, CARB staff will provide a meeting summary of each meeting that will include the following:

- 1. Meeting date, time, and location.
- 2. Consultation Group Members in attendance.
- 3. CARB and other agency staff in attendance.
- 4. A summary of Consultation Group items discussed, actions taken, and actions needed for follow-up.
  - a. A draft meeting summary will be provided to Consultation Group Members prior to the next regularly scheduled meeting to review prior to adoption at the next meeting. Draft and final meeting summaries of the Consultation Group will be made available on the CARB Consultation Group webpage.

Consultation Group records are public documents under the California Public Records Act, and will be released upon request where consistent with state law. (Gov. Code, § 7920.000 et seq.)

Comments/Suggestions/Recommendations on Chapter H Section 8. Records

Individual comments:

1. Mary Elizabeth

1a. The meeting summary should include members of the public in attendance and links to written comments submitted as well as a summary of those verbal comments. Describe how public written comments will be distributed in advance of the meeting.

CARB Interpretation of Comment	CARB Recommendation
Recommendation to specify how the public can submit written comments and how that will be shared with CG members.  Also to record in the meeting summary, the public participant list and their comments.	CARB will provide a summary of public comments along with the meeting summary. A list is not possible since Bagley-Keene prevents us from requiring attendees to identify themselves.

1b. Please, include a footnote to CPRA Govt Code second referenced.

CARB Interpretation of Comment	CARB Recommendation
Recommendation to reference in a footnote Government Code section (Gov. Code, § 7920.000 et seq.).	Add link and/or footnote with url written out.

## I. Per Diem and Travel Cost Reimbursements

### I.1 Eligibility for Per Diems and Travel Cost Reimbursement

All members, except for state and local agency representatives, are eligible for per diems and travel costs for attendance at Consultation Group meetings, paid as reimbursements. Eligible members include but are not limited to impacted residents not affiliated with any organization, representatives of environmental justice organizations, community-based organizations, and California Native American Tribes. Eligible members may waive being paid per diems and travel costs for meeting attendance.

### I.2 Per Diem Compensation

Eligible members or their Alternates who attend a meeting in their place will be eligible for per diem compensation at the rate of \$100 per meeting. This rate is the maximum allowable compensation for advisory body members under state law. (Health & Saf. Code, § 39603, subd. (a)(2); Gov. Code, § 11564.5.)

### I.3 Travel Cost Reimbursement

Travel expenses will require prior CARB approval and will be based on current state government [travel reimbursement rates](#) and consistent with CARB procedures, state law, and availability of state resources.

CARB will provide a per diem and reasonable travel cost reimbursements to Consultation Group Members for attendance at Consultation Group meetings (i.e., maximum 3 times per year) and if CARB requests they attend a Board meeting. Consultation Group Members will not receive per diem or travel reimbursements for non-quorum meetings that they organize and attend themselves. Consultation Group Members must complete any travel reimbursement forms provided by CARB staff or its contractor within two (2) weeks of each respective public Consultation Group meeting. The Consultation Group Member may be responsible for any out-of-pocket costs related to travel cancellations made by the Consultation Group Member not covered by stipulations in Section I.1.

### I.4 Compensation and Reimbursement for Alternates

Alternates for compensation-eligible members will only receive compensation and travel reimbursement for Consultation Group meeting(s) if the Alternate attends a meeting on behalf of the Board approved Consultation Group Member who is unable to attend. Alternates will not receive compensation or travel reimbursements for Consultation Group meetings that they attend in addition to the primary Consultation Group Member. Neither Primary members nor Alternates will receive compensation or travel reimbursements for Consultation Group meetings that they do not attend.

## Individual comments:

### 1. Mary Elizabeth

**1a.** Please include footnote reference to travel reimbursement rates.

CARB Interpretation of Comment	CARB Recommendation
Recommendation to reference to travel reimbursement rates in a footnote	CARB Concurs, and will add a footnote with a hyperlink.

**1b.** The process whereby per diem compensation is obtained is not clear - when travel reimbursement forms are required to be submitted within 2 weeks of the meeting.

CARB Interpretation of Comment	CARB Recommendation
Recommendation to make clear the travel reimbursement process and timelines.	CARB recommends members refer to travel guide, rather than include these details, which could change over time, in the charter.

### 2. Rodney Andrews

The Consultation Group recognizes that the current maximum per diem of \$100 per day, as established under Health & Safety Code § 39603 and Gov. Code § 11564.5, does not adequately compensate members for meetings that often exceed three hours, including preparation and travel time. The Consultation Group recommends that CARB explore options to adjust or increase the per diem rate in coordination with state authorities to ensure fair and equitable compensation for members' participation in Consultation Group meetings.

CARB Interpretation of Comment	CARB Recommendation
Request for CARB to explore increasing the per diem to a fair and equitable level.	CARB will continue to explore legislative solutions to increase flexibility around community compensation.



J. Effective Date, Amendments, Termination

The Consultation Group and the Board shall consider for approval this Charter.

The effective date of this Charter or any amendments is the date it is approved by the Board through a Resolution, after the Consultation Group has already approved.

Any amendments may be proposed by the Consultation Group and CARB staff. The Board may review for approval proposed amendments at its discretion.

Once effective, this Charter shall terminate solely based on an action to approve termination by the Board.

Comments/Suggestions/Recommendations on Chapter J. Effective Date, Amendments, Termination

No Comments received.

K. Acknowledgment and Approval of Charter

Comments/Suggestions/Recommendations on Chapter K. Acknowledgment and Approval of Charter

Individual comments:

1. Rodney Andrews

I strongly support Dr. Cessa's comments regarding the importance of recognizing and incorporating the contributions of the previous Consultation Group into the ongoing work. Honoring their past efforts ensures continuity, strengthens institutional knowledge, and upholds the commitment to equity and community engagement that has guided this Program from its inception.

CARB Interpretation of Comment	CARB Recommendation
Recommendation to include CG previous work products/efforts.	CARB concurs, and can add this language to section K: "The Consultation Group and CARB acknowledge and appreciate the foundational work and contributions of past Consultation Group members, whose insights and dedication have significantly shaped the Community Air Protection Program. Their efforts, including input into the original Community Air Protection Blueprint (2018), the People’s Blueprint (2021), and the development of Blueprint 2.0 (2023), have directly informed the structure, values, and content of this Charter."

Additional questions.

Comments/Suggestions/Recommendations on Question 65,  
“Do you have any additional Consultation Group goals to propose for inclusion in the charter?”

Individual comments:

1. Jonathan London

Added in the above survey

2. Prithvi Deore

Included in the comments

3. Baldwin Moy

N/A

4. Walter Shen

NA

5. Domingo Vigil

No

6. Y'Anad Burrell

No

7. Dirk Piersma

None at this time

8. Rebecca E. Skinner

Yes, I think that periodic regional meetings of CSC members, members of CNC, and CG members would be fruitful. This would not require extensive travel, and could take place in the SF Bay Area, Sacramento, and the San Joaquin Valley.

CARB Interpretation of Comment	CARB Recommendation
Suggested Goal	Added this recommendation to the CG Goal section.

Comments/Suggestions/Recommendations on Question 66,

“Do you have any additional meeting agreements to propose for inclusion in the charter?”

**Individual comments:**

**1. Jonathan London**

Added in the above survey

**2. Baldwin Moy**

N/A

**3. Walter Shen**

NA

**4. Prithvi Deore**

No

**5. Domingo Vigil**

No

**6. Y'Anad Burrell**

No

**7. Rebecca E. Skinner**

No.

**8. Dirk Piersma**

None at this time

## Comments/Suggestions/Recommendations on Question 67,

### “Do you have any other input for this Charter, the CG meeting process, or other related items?”

#### Individual comments:

##### 1. Walter Shen

**1a.** 1. I would provide any relevant links or citations from CARB’s community engagement model and or racial equity lens documents

CARB Interpretation of Comment	CARB Recommendation
Recommendation to add relevant resource links, such as CEM, REL documents.	CARB concurs and will add a footnote with hyperlinks to the community engagement model page and the racial equity page.

**1b.** 2. Document should not include bullets, those are not appropriate for a document that can be cited.

CARB Interpretation of Comment	CARB Recommendation
Recommendation to remove bullets, use a different [numbering] system to allow citation of specific parts of the document.	CARB concurs, and will replace bulleted lists with lower case letter lists (e.g. a. b. c.)

**1c.** 3. Is there a process for if/when the Charter needs to be revised?

CARB Interpretation of Comment	CARB Recommendation
Recommendation to include language about how to update the Charter.	CARB concurs, and proposes the following language: "Amendments to this Charter may be proposed by either the Consultation Group or CARB staff. Any proposed amendments must be reviewed and approved by the CARB Board periodically through a formal Resolution. The Charter becomes effective, or is amended, only upon Board approval."

##### 2. Christine Luther Zimmerman

According to CARB’s color-coding scheme, red-shaded sections are essentially off limits for purposes of CG member comments, even though some of these sections deal with policy decisions that are not required by existing law (e.g., Section A – Purpose, Section G.4 – Member Expectations). It seems unfair of CARB staff to dictate operating procedures and requirements rather than having the CG first discuss the draft Charter and then advise CARB on the need for changes to any language that is not prescribed by state law before a final Charter is adopted. I recommend that CARB allow comments on red-shaded sections related to existing policies subject to the caveat that any changes would require CARB approval.

<b>CARB Interpretation of Comment</b>	<b>CARB Recommendation</b>
Recommendation to allow CG comments on all parts of the Charter that are not statutorily defined.	CARB concurs with this recommendation.

### 3. Jonathan London

I recommend that CARB create a document with the suggestions made by the consultation group and distribute prior to the meeting for member review and then have a carefully facilitated session at the meeting to discuss and decide upon these.

<b>CARB Interpretation of Comment</b>	<b>CARB Recommendation</b>
Recommendation to compile all comments and distribute them to the CG members for review prior to the meeting and for discussion during the meetings for decision-making purposes.	CARB concurs with this recommendation.

### 4. Baldwin Moy

N/A

### 5. Prithvi Deore

No

### 6. Domingo Vigil

No

### 7. Y'Anad Burrell

No

### 8. Rebecca E. Skinner

No.

### 9. Dirk Piersma

None at this time

Verbal comments captured from Meeting #1:

1. Dr. Anissa Heard-Johnson

Add an "origin story" section to the Charter to provide important context and acknowledge the previous efforts and work completed

CARB Interpretation of Comment	CARB Recommendation
Recommendation to add the work efforts/products of the previous CG.	CARB concurs, and proposes the following language be added to section B. Background: "The AB 617 Community Air Protection Consultation Group was first convened by CARB in 2018 in response to Assembly Bill 617 (C. Garcia, Chapter 136, Statutes of 2017). The original 17-member group was established to advise CARB on the development and implementation of the Community Air Protection Program CAPP, including the creation of the first Community Air Protection Blueprint (2018). Over time, the Consultation Group's work evolved to reflect the growing emphasis on equity and environmental justice, as highlighted in the People's Blueprint (2021) and the Community Air Protection Blueprint 2.0 (2023). These foundational efforts have shaped the current structure and priorities of the Program and inform this Charter, which outlines the roles, responsibilities, and procedures for the reconstituted Consultation Group."

(continues...)

## 2. Dr. Anissa Heard-Johnson

Add a “lessons learned” section to the Charter to explain challenges faced from prior Consultation Group efforts to promote equity

CARB Interpretation of Comment	CARB Recommendation
Recommendation to add a lessons learned section based on previous CG efforts.	<p>CARB concurs and proposes to add the following language to section B. Background:</p> <p>"The initial Consultation Group provided valuable insights into the importance of inclusive, transparent, and community-centered engagement in implementing the Community Air Protection Program. Key lessons included the need for clearer alignment between statutory requirements and evolving equity-focused strategies, the importance of balancing diverse stakeholder perspectives, and the value of structured processes for agenda setting, member participation, and public input. These experiences informed the development of the People’s Blueprint and helped shape Blueprint 2.0, reinforcing the need for stronger facilitation, clearer expectations, and more consistent communication to support meaningful collaboration and accountability.</p>

## 3. Dr. Anissa Heard-Johnson

Add hyperlinks and/or footnotes to document URLs and /or references such as the People’s Blueprint, Blueprint 2.0, etc.

CARB Interpretation of Comment	CARB Recommendation
Recommendation to add resource links to related efforts such as the People's Blueprint, 2018 Blueprint, etc.	CARB concurs and will add a footnote with hyperlinks.

## 4. Mary Valdemar

Consider more opportunities to prioritize community feedback, other than just a 3-minute public comment in formal meetings

CARB Interpretation of Comment	CARB Recommendation
Recommendation to give more time and priority to public comments in CG meetings.	This could be addressed by a proposed change related to CARB's responsibility for public inquiries (G.5)

## 5. Mary Valdemar

What are Consultation Group members' opportunities to inform Consultation Group decision-making with an effort to promote a more bottom-up approach

CARB Interpretation of Comment	CARB Recommendation
Recommendation that the CG use a bottom-up approach to decision-making.	Bagley-Keane requires a voting system to make decisions, but there are many elements of the charter that encourage inclusive decision-making, including establishing ad hoc meetings with Consultation Group members to plan agendas. Meeting agreements can also be recommended to encourage inclusive discussions.

## 6. Dr. Jonathan London

Provide a deadline for Consultation Group members to provide feedback on the draft Charter

CARB Interpretation of Comment	CARB Recommendation
Recommendation to give a deadline for Charter comments.	CARB concurs with this recommendation.

## 7. CARB staff

Revise the form provided to collect feedback on the Charter to allow comments on all sections of the color-coded Charter, including an open-ended question

CARB Interpretation of Comment	CARB Recommendation
Recommendation to allow comments on all sections of the Charter.	CARB concurs with this recommendation.