

DRAFT Minutes



Airshed Zones Board Committee Meeting #7

Date: Tuesday, January 26, 2010

Time: 10:00 am – 4:00 pm

Place: CASA Offices

In attendance:

| Name | Stakeholder group |
|-------------------|---------------------------------------|
| Myles Kitagawa | CASA executive |
| Peter Watson | CASA executive |
| John Squarek | CASA executive |
| Jillian Flett | Alberta Environment |
| Kristina Friesen | AAC |
| Bob Cameron | South Peace Environmental Association |
| Kerra Chomlak | CASA |
| Gustavo Hernandez | CASA |
| Linda Jabs | CASA |
| Kim Sanderson | CASA |

Action Items:

| Action items | Who | Due |
|--|-------------------|--------------------|
| 7.1: Kerra will advise the board of the proposed changes when the draft minutes are discussed at the next board meeting. | Kerra Chomlak | Next board meeting |
| 7.2: Kristina will canvass the AAC and AZ to get a sense of who is interested in participating on the SC. | Kristina Friesen | |
| 7.3: Kerra will begin inquiring about CASA board member interest in participating on the SC. | Kerra Chomlak | |
| 7.4: Linda Jabs will be available to answer questions of clarification on the AAC teleconference Friday, January 29. | Linda Jabs | Jan 29 |
| 7.5: Gustavo will poll for a conference call date and time and will send out the draft report prior to the call. | Gustavo Hernandez | Jan 27 |
| | | |

Peter Watson convened the meeting at 10:07 am. Those present introduced themselves.

1) Administration

a. Review meeting objectives and approve agenda

Peter reviewed the meeting objectives with reference to the direction provided by the CASA board at the December 1, 2009 meeting. He acknowledged the importance of this discussion to CASA in creating a common understanding for all parties. Kerra reviewed the comments from the December CASA board meeting, which had been distributed to the group prior to the meeting.

It was agreed that the last sentence in paragraph 1 should be revised by deleting “are members of” and replacing with “have one representative on.”

The group discussed the bullet points noted as comments from board members. There was some concern about the accuracy of the second and third sentences in bullet 2. One issue is that there are uncertainties about future funding and roles, and question about how much of a driver this should be for our decision. It was noted that these bullets are intended to reflect the points raised by board members during the discussion of this item.

Action 7.1: Kerra will advise the board of the proposed changes when the draft minutes are discussed at the next board meeting.

2) Objectives Summary

Peter Watson summarized the objectives from the perspective of the CASA board:

- The CASA board takes the request from airsheds for membership seriously. Airsheds play a very important role in Alberta, including monitoring, reporting results, communicating and educating stakeholders. We also know that some are interested in taking on more of a management role.
- At the same time, there are various concerns and interests around this issue, which have made it more complex than perhaps we thought it would be initially. The request for membership raises other related issues; questions about the future roles of airsheds, relationship with CASA, and others are all being explored.
- The board made the right decision to take the direction it did and involve key board members in this conversation.
- The executive committee is here to support the CASA process and offer the perspective of our sectors, but at least as importantly, the executive need to be able to look through the CASA lens in supporting the committee.

Jillian Flett summarized the objectives from the perspective of the AZBC:

- The committee has had many discussions since it was formed and there is strong commitment to resolve this issue.
- The committee welcomes the executive’s involvement and guidance in considering the options, as every time an issue came up, there were more layers underneath.

Gustavo Hernandez presented an overview of the history and background of the membership request to CASA, noting that there are different visions of the situation as well as differing concerns. He described three possible ways for moving the work forward, then the committee considered the possibilities raised by the presentation, noting the following points:

- The membership request is being viewed as the problem, when in fact it may be the AAC’s preferred solution to a problem. Airshed zones (AZ) may have a cluster of problems to which they propose membership as a remedy. If we look at the problems membership is supposed to solve, we may be able to come up with new solutions that avoid problems that membership might create.
- Many things are bound up in this discussion. With one approach, we can try to resolve all issues, but they would have to be resolved perfectly in order to consider membership and that will take a long time. 2. If we had consensus that there is a strong set of new rules for AZ, we could move quickly to membership. 3. There is an intermediate option where we see the benefit of membership so we create connections and mechanisms and are okay with not

having to solve all the membership issues. The role of “isolator” in the slides could lead us forward if we see value in such a role even if all the roles for zones aren’t resolved.

- We have been focused on solving a problem; whose problem and what problem, we’re not sure. Why don’t we flip it to ask what opportunities arise by having AZ membership on the CASA board? We should look at what the opportunity of zone membership in CASA gives CASA in this uncertain environment where GoA is making decisions about how we move into regional planning.
- There is a risk for AZ that they will be put on the back burner if there is no alternative to membership. The status quo is not working for AZ. One issue is the lack of effective communication with CASA on issues that directly affect the business of airsheds. The opportunity is that CASA could have direct feedback from the airsheds.
- Airsheds on the board would mean having the implementers and practitioners who do air quality monitoring and management at the table with the real experience they bring and can contribute to the discussions. This happens on teams but not at the board level, even though some board members also belong to airsheds. Board membership is not a magic bullet that will solve all the problems. Things at the board level tend to move more slowly than they do at the AZ level.
- The issue for board members is trying to understand what membership would provide to AZ and what they provide back to the board. We probably need to make a philosophical change in what we understand about air management in Alberta and how the parts fit together. In the big picture, GoA is at the top. Under that have the Clean Air Strategy and the AMSP and CEMS. Those things will address how we move forward on air management. Is CASA the next level that provides advice on issues that come to CASA? We can develop management frameworks and provide the rules, then they have to be implemented. AAC’s role would be to try and coordinate all activities of AZ, so it is an intermediary between the CASA board and the airsheds. In that case, a seat would be important.
- The uncertainty relates to how the big pieces come together – GoA, CASA, implementers, and the various policy pieces. Within this uncertainty CASA’s mission is clear and certain.
- The CAS should provide some guidance to what needs doing and who will do it. How it is all distributed will need to be worked through, but we need to align the pieces and understand and define the reporting relationships.
- There is a lot of uncertainty as to what the GoA will tell us about what the various roles will be. Perhaps the air “players” need to be more assertive and define their own roles.
- AAC members are open to solutions other than membership as long as the solutions solve their problems effectively. Some issues are laid out in section 1.2 of the discussion paper, but there are others; feedback from the AZ and industry has not been incorporated into this draft.
- A key value from membership would be consistency in how AZ operate. A lot of industry issues could be addressed by focusing activities through CASA to the airsheds. Implementation direction to zones would be from CASA. CASA would provide a framework on how they operate, and AZ should report back on how they are doing.
- AENV audits the AZ, and this is governed by the Air Monitoring Directive. AZ also meet local needs that are often identified by the public.
- Bullet 2 in section 1.2 relates to CASA’s principle of inclusiveness. Any organization whose business is affected by CASA decision making can be at the table to have input to those decisions. AZ have a business interest in both management and monitoring and have been affected by CASA policies. Although they have been on project teams, they don’t think their interest is adequately represented on teams or by having AZ members at CASA board meetings. Although CASA board members may be on AZ, at the CASA board they have a

duty to CASA. AZ are the bridge between high level provincial policy and place-based activities and implementation.

- The four bullets noted in section 1.2 present valid concerns and would warrant consideration of CASA membership. Whether they fit with our bylaws is another question.
- Board membership might be an effective remedy to the four bullets, but not the only effective remedy. Section 3.1 expands those issues and these sections should be blended. If we try to justify membership on the CASA board because it solves these four bullets, it probably won't succeed.

The committee then entered into a facilitated discussion.

Concerns noted by CASA board members about having a seat for AZ on the board:

- Perception among NGOs that AZ membership invites a balance problem. CASA deals with things that don't necessarily affect AZ. For example, if an AZ has a view on something, CASA NGO members would rely on their NGO experience; likewise an AZ representative would draw on their experience. Because AZ are multi-stakeholder, that person would draw on their experience from a specific sector, so that sector could be seen as adding to the particular sector that s/he is from and may not have the benefit of participating in a formal CASA caucus for that sector.
- Keeping the CASA board to a manageable size.
- Inclusiveness principle is built on having a stake in the outcome and being accountable to a constituency away from the table. Who would be the constituency for an airshed seat?
- Balance and accountability are critical issues related to membership.
- If we are going to consider the interests of airsheds, maybe we are missing other interests that should be looked at ahead of airsheds.

Discussion of the Opportunities

- How does the overall trend to regional environmental management (as reflected in the LUF, CAMS, CAS and other policies) affect CASA? Does CASA deal only with provincial-scale issues? How must we evolve to continue to be effective and add value in this emerging regional reality? AZ will need to give CASA advice on this matter that needs to go beyond just monitoring.
- CASA does not need to participate in regional management. Regional organizations do the regional work. CEMS and other policies require provincial direction and the "big picture" is where CASA should be. CASA's job is to develop policy frameworks, and the AZ job is to implement as appropriate. We should not be saying it is CASA's job to deal with regional issues.
- There are contrasting realities. Over time, AENV has developed an inclusive system that involves AZ, WPACs, CASA, and the AWC. Not all GoA departments are so inclusive and with the new regional reality, organizations like CASA and the AWC could step up to get involved.
- The opportunity for airsheds with CASA membership is access to a table that can develop policy, which is the flip side of the table having access to the information it needs to make policy that can be implemented. Presently, when AZ see the need for a new policy, they have to go through the same process as everyone else (lobbying, etc.).
- An opportunity for CASA is that AZ could potentially undertake consultations in their region on air quality issues, given the existing close relationship with people in the regions.

Exploring Solutions

- How can CASA be effective with its mission in the absence of a connection to regional processes? This is an issue for CASA unless we decide to leave it up to AENV.
- Is there a compelling reason why we would consider membership or options to take us in that direction while we continue to examine the challenges?
- Helping CASA reach out and secure a regional role is a better opportunity for CASA than for AZ. AZ are told they are important partners and do work that is valued by both the regulator and the public, but are treated very paternalistically. Most airsheds not on the radar of other GoA departments.
- AZ do things that their constituents think need to be done and they need to be recognized for what they can do. Otherwise, the lack of presence in the provincial landscape of organizations doing environmental work will increasingly diminish their relevance.
- The CASA board wants a bridge to the regional issues and regions want a bridge to provincial matters. If we agree on the nature of the desired relationship, we can acknowledge that we can't solve all the problems.
- The report from the AZBC seeks to address the immediate challenges, as reflected in the four bullets previously discussed; however, there are likely to be differing views on how to meet those. Membership is one way, but that will not happen in the short term. So we need to determine what can be done to address these concerns now, while still working on good long-term solutions.
- For AAC the most important component of a solution is the recognition that there is still a real possibility for membership. To reach an interim solution in good faith, it will have to be apparent that it is only interim as we work to remove the blocks to a final solution. It would be good to get agreement on the need for a bridge between CASA and AAC.
- So is there a gap now in CASA membership? We know some things are not working well, so what needs to change? The AZ asked to join the board in order to fix the problems.
- The big difference being proposed is the CASA standing committee on AZ. This committee needs to work a parallel track, looking at all the other things that need to be improved. AZ membership in CASA could be an outcome.
- Whatever goes forward must be described in a way that it doesn't look like the status quo and is a serious effort to make things better from the AAC's perspective.
- Being on the board as an equal offers networking opportunities that are not available to AZ representatives as observers.
- We want to address in the report to the board the immediate challenges that AZ are experiencing (some of which are noted in s. 1.2 of the draft report), as well as strategic and common challenges for CASA and AZ (e.g., how the organizations cope with the emerging regionally focused management schemes in the LUF, CAMS, CEMS, etc.).
- Some proposed options are not acceptable if they perpetuate the status quo.

Improving Communications between AZ and CASA

- Several communications mechanisms are used now:
 - AZ reports to the CASA board
 - CASA coordination workshop
 - AZ participation on project teams (could be more effective)
 - Airshed experience of individual CASA board members

AZ Reports to the CASA Board

- AZ reports to the board are not effective in their current format. The presentations could be used to provide valuable strategic intelligence to the board and/or to get strategic advice from the board on the most important issues for AZ (approach D). An example might be to point

out something in a report to the board that didn't involve AZ but in hindsight has implications for AZ.

- AAC should have the opportunity to present to the board if appropriate, on issues that concern all AZ.
- Issues that might come forward from the zones as strategic discussions in their reports to the CASA board:
 - Data QA/QC
 - Discussion around AZ options as implementers of CASA frameworks and how CASA uses management frameworks to deliver regional outcomes. If something hasn't worked well, efforts should be made to improve next time, or if possible revise the existing framework.
 - In regions such as PASZA, issues related to property crimes, air quality, cross border.

The group agreed that CASA should request a written report from each zone once a year, but an annual presentation is not necessary unless the AZ needs strategic advice or has a particular issue, in which case, they can contact CASA and ask for time on the agenda.

Standing Committee (SC)

- A standing committee (approach A) reflects the interim nature of the solution and will ensure better communications. The main focus will be on looking at the longer-term questions and the bigger picture of AZ-CASA interaction. The committee should comprise half board members and half AZ members. With ten members, there could be one board member from each stakeholder group and an additional board member to serve as chair or co-chair (4); three members from the AAC and three members from the AZ themselves. The board co-chair could serve as the champion (approach C). The SC will prepare its own terms of reference for approval by the CASA board.
- The SC should be formally established immediately after the March board meeting, but recruitment could begin now. The SC would be asked to come back to the June board meeting with draft terms of reference.
- Potential SC tasks could include:
 - Making an eventual recommendation on AAC membership, while not setting up the expectation that after a year or two, membership will be automatic.
 - Revising the AZ Guidelines to explain current and emerging AZ responsibilities, considering the LUF, CAS, CEMS, etc. and how the AZ and CASA will interrelate and intersect when it comes to regional issues and place-based management.
 - Looking at overall policy pressures, pressures from the public, and other emerging issues, and consider how to respond strategically.
 - Provide support to and liaison with the AZ in the interim, and work to address new issues that may arise in the AZ-CASA relationship.
 - Monitor progress in implementing the proposed solutions to short-term problems and suggest adjustments as appropriate.
- Project teams will continue to function as they do now, in terms of getting AZ representation on issues that need AZ input. If something new arises, a statement of opportunity could be prepared.
- The SC will not get involved in changes to the mandates of specific AZ.
- One area of risk for the AAC is that the SC looks too much like the AZBC and what's being proposed is an open-ended process. If this is an issue for AZ, they will be asked what sort of timeline they would like to have.

The group agreed to recommend formation of a standing committee, as described above, to deal with issues on ongoing basis. Members will develop their own terms of reference, which will link to the discussion about opportunities. The AZBC report to the board should note advantages of this approach to both parties, and describe membership, potential tasks, and expected outcomes.

CASA Membership Review

- CASA needs to look at its broader board membership issues; e.g., is there a gap in membership, what about size of the board, etc.? Should the membership review consider the issue of regional representation? If the immediate actions address AAC concerns effectively, AAC membership may not be an issue.
- Accountability and what that means at the table, and the balance we now have within the various stakeholder groups also need to be considered.
- The AAC is made up of airshed representatives and is an easy forum for meeting with all airsheds at once. The AAC does not propose to be anything more and does not make decisions that go back to airsheds to implement. The interests that drove AZ to the AAC table are not the same ones that bring them to the CASA table. AAC has to ensure that the business of airsheds is viable.
- In the membership review, we need to recognize that there is something different about inviting AZ onto the CASA board than there is about inviting another organization that is part of an industry or NGO stakeholder group. This relates to their accountability back to the broader constituency they represent. Because their accountability is different, do we need a different category? We need to understand this correctly so we can properly deal with the accountability question.
- In some cases, it might be hard for the AAC to take a position on something and it's important to flag those issues in the membership review. The scope of accountability varies from member to member; e.g., with transportation, CASA can't get all the groups on the board, so we have the AMA, which is accountable to their membership in a straight line. This contrasts with the circular accountability for AAC. The AAC representative will take advice from the 8 or 9 people who represent their airsheds. Each incorporated society (airshed) has a lot of members from government, industry and NGOs, which are the same stakeholder groups already on CASA.
- There is an interest from the general public in AZ that causes there to be a need to have someone do the things airsheds do. Airsheds continue to exist and have an identity even as members change. It's that local and regional accountability that matters. It's the interest of the airshed as an entity.
- There could be a design feature added to CASA's membership clause in the bylaws that allows for the greater public good. Some of the information from the recent CASA workshop on consensus may be relevant: when you're part of the consensus process, to be accountable here are some of the things you should do.
- The AZBC report should note that the AZBC looked at membership and that the executive committee has agreed to take forward a recommendation regarding membership review. This recommendation will be very clear in describing the scope of the review.

3) Report to CASA Board

- The current draft discussion paper contains much of the background, but the recommendations need to be revised in light of today's discussion.

- The revised draft report will be circulated to the executive and committee members for review. Examples would help clarify the intent and will be used in the next draft.
- The draft report will review the key task areas and indicate how each has been addressed.
- Approaches A, C and E in Option will be the suite recommended.

Action 7.2: Kristina will canvass the AAC and AZ to get a sense of who is interested in participating on the SC.

Action 7.3: Kerra will begin inquiring about CASA board member interest in participating on the SC.

Action 7.4: Linda Jabs will be available to answer questions of clarification on the AAC teleconference Friday, January 29.

Action 7.5: Gustavo will poll for a conference call date and time and will send out the draft report prior to the call.

The meeting adjourned at 3:50 pm.