

**Alberta Airsheds Council and CASA:
Roles and Relationships**

Report to the CASA Board

Prepared by the
Airshed Zones Board Committee

March 24, 2010
Final Report

Acknowledgements

The CASA Airshed Zones Board Committee acknowledges the very valuable input it received from various CASA Board members including the Executive Committee, the Alberta Airsheds Council, the Airshed Zones and others with an interest in and commitment to airshed zones in Alberta.

About CASA

The Clean Air Strategic Alliance (CASA) is a non-profit association composed of stakeholders from three sectors – government, industry and non-government organizations such as health and environmental groups. All CASA groups and teams, including the board of directors, make decisions and recommendations by consensus. These recommendations are likely to be more innovative and longer lasting than those reached through traditional negotiation processes. CASA's vision is that the air will have no adverse odour, taste, or visual impact and have no measurable short- or long-term adverse effects on people, animals or the environment.

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Note to Reader

The recommendations in this report were negotiated by the Airshed Zones Board Committee in good faith and agreed to as a package. The package must therefore be considered in its entirety. If it is fragmented in any way, the report can no longer be regarded as having the consensus of the Committee.

1 Airshed Zones and CASA

Using airshed zones (AZs) to monitor air quality is an innovative approach that was formalized in the 1991 Clean Air Strategy for Alberta, in which Albertans identified local air quality issues and problems as a priority. AZs play an important role in identifying and addressing air quality issues in many regions of the province; they monitor ambient air quality, report results, and communicate with and educate a wide range of stakeholders including the public.

Alberta now has nine AZs in both rural and urban areas. Each AZ is an incorporated not-for-profit society with its own bylaws, board of directors and business plan. Like CASA, AZs use a consensus-based, multi-stakeholder approach to decision making. AZs provide an opportunity for stakeholders to develop regionally appropriate monitoring, measurement and outreach programs. They also provide a mechanism for identifying hot spot issues and developing regional plans to implement provincial policies or frameworks.

A number of strategic initiatives in Alberta, such as the Land-use Framework and its regional plans; the Clean Air Strategy; the Particulate Matter and Ozone Management Framework; the Ambient Monitoring Strategic Plan; Watershed Integrated Management Plans; and the Integrated Monitoring, Evaluation and Reporting Framework all have had, or are expected to have, significant ramifications for AZs. The emerging national Comprehensive Air Management System may also affect AZs.

The relationship between CASA and the AZs is evolving and is expected to become more complex as demands for regional air quality monitoring and management increase. In the past, CASA has assisted new zones with their start-up activities, while providing some initial staff support and modest financial support to identify stakeholders and bring them together. The CASA Board has also been available to endorse a new AZ if the board of the AZ so desired. AZ representatives have actively participated on many CASA project teams over the years, as the zones are often affected by CASA recommendations.

1.1 The Alberta Airsheds Council

Recognizing the need for a forum for AZs to discuss common issues and challenges, the Alberta Airsheds Council (AAC) was established in 2007. The AAC meets quarterly and has hosted two conferences to facilitate discussion and understanding around air quality science and policy, and to expand capacity among the AZs and their stakeholders in these subject areas. The AAC has prepared bylaws and applied to incorporate as a not-for-profit society. Each AZ is a member of the AAC and is represented on the AAC, usually by the AZ executive director or chairperson. Like CASA, AAC uses a consensus-based approach to decision making.

2 The AAC Request for Membership in CASA

In June 2008, the AAC asked the CASA Board to consider expanding its membership to include a seat for the AAC as the representative for the AZs. The question of whether the AZs should become a Member of the CASA and thus have a seat on the board of directors was discussed by both the CASA Board and the AAC prior to the June 2008 request. When the matter arose in 2004, the CASA Board decided against having AZs join CASA but did see the value of improving communications between the AZs and CASA, and invited each AZ to make an annual presentation to the board. These presentations did not effectively address the concerns of the AZs, which are summarized in section 2.1 below. With the formation of the AAC, the request for membership was made again.

In response to this most recent request, the CASA Board directed that a committee be struck to clarify the roles and relationships between the CASA Board and AZs.¹ The resulting Airshed Zones Board Committee (AZBC), whose members all have experience with AZs, has engaged with the AAC and with members of the CASA Board and secretariat to expand its understanding of the issues. This report is the result of the committee's deliberations and contains four recommendations.

The AZBC is submitting this report as a fulfillment of the committee's Term of Reference, acknowledging that additional work is needed in Key Task Areas 5i and 5ii to clarify the respective roles of the AZs and CASA in certain areas. Alberta's increasing focus on place-based environmental management has led to some uncertainty about the future role of AZs, and this is likely to continue as new processes, policies and frameworks with a regional approach are put into place. The AZBC believes that its recommendation related to the formation of a CASA Standing Committee provides a vehicle for responding to these roles and responsibilities as expectations and desired outcomes become more apparent.

2.1 The AAC's Interest in CASA Membership

The AAC's desire for membership in CASA was seen as a potential solution to concerns that AZs had related to:

- Consideration of implementation issues by the board when approving recommendations;
- The ability to participate fully in decision making at the CASA Board level, including the ability to block consensus on policy recommendations that directly affect AZs operations;
- Consistency in board membership with respect to representing all relevant interests;
- The need to recognize the identity of the non-profit organizations (airsheds) as distinct from those of their members, a result of the fiduciary duty to serve the mission of the society;
- The need to reflect the importance of monitoring and data in CASA Board decisions; and
- The need for better communications between CASA and the AZs.

The AAC was of the view that membership in CASA and representation on the CASA Board was an opportunity to address these concerns by:

- Presenting and participating in board discussions to reinforce a more correct and consistent message about the AAC and AZs, including their activities and concerns.
- Advising the board on whether recommendations related to AZs are achievable and implementable.

¹ Committee members are listed in Appendix A and the committee's terms of reference appear in Appendix B.

- Identifying new issues that would not have been presented in the absence of a regional implementation perspective.
- Bringing forward relevant topics in local and regional air quality issues and identifying opportunities for collaboration.
- Being included as directly impacted stakeholders in decisions affecting air quality in Alberta.

In essence, the AAC believes that a seat on the CASA Board would provide a forum for AZs to participate in high-level discussions related to effective planning and emerging opportunities in air quality management, as potentially-affected stakeholders and as likely implementers of CASA recommendations.

2.2 CASA’s Interests Related to the AAC’s Request for Membership

CASA recognizes that having AZs represented on the board through the AAC could help to:

- Ensure consistency in membership between the board and CASA project teams.
- Involve implementers and potential implementers in CASA’s decision-making process.
- Provide an important regional, place-based perspective on air quality and issues that could affect it.
- Strengthen the support for implementing CASA initiatives, such as the Ambient Monitoring Strategic Plan and the PM and Ozone Framework.
- Support implementation of the CASA business plan.
- Facilitate the sharing and dissemination of information.

However, in previous discussions, CASA Board members have identified several issues that require careful consideration and further clarification before the board would be satisfied that the addition of the AAC is needed to fill a gap in CASA membership. These include:

- Determining that there is a gap in representation on the board that needs to be filled, and whether other interests might be missing, and which interests would be a priority to add to the board.
- Ensuring that clear lines of accountability exist for any new member back to their stakeholders or “constituency.”
- Ensuring that balance is maintained on the CASA Board and that membership is not duplicated with members on AZs.
- Keeping the board to a manageable and effective size.

2.3 Consideration of the AAC Request for Membership

The AZBC discussed the AAC request for membership in detail. Members agreed that adding AAC to the board is a future possibility given the AZs increasing importance in addressing regional air quality issues and their ability to connect with local stakeholders. Membership was seen as only one solution to the concerns raised by AZs because it was acknowledged that other solutions may emerge as the future roles of the AAC and AZs becomes clearer and the recommendations in this report are implemented.

The committee is of the view that it would be useful for CASA to look at its broader board membership to consider whether there are any gaps in membership and, if so, how those might be

filled, paying particular attention to the questions of board size, balance and accountability and considering future federal and provincial direction on air quality management. The AZBC has shared this view with the CASA executive, and the executive committee has agreed to bring forward a recommendation to the CASA Board regarding a membership review.

The committee recognizes the fundamental need for a strong, healthy relationship between CASA and the AAC and AZs. The AZBC believes that mechanisms other than membership on the CASA Board are available to address some of the concerns raised by the AAC and AZs, particularly those related to communication. These are described in the next section of this report.

3 Opportunities to Strengthen the CASA-Airshed Zones Relationship

In its discussions, the AZBC agreed that immediate opportunities exist to improve communications between CASA and the AZs to ensure that AAC and AZ concerns are being addressed. These mechanisms will help CASA to better understand regional issues and the implications of place-based environmental management approaches. The mechanisms will give the AAC and AZs better access to contribute to the “big picture” thinking of the CASA Board and an opportunity to provide input from the perspective of an implementer of CASA frameworks. The AZBC agreed that a more substantial approach is needed to examine the strategic challenges common to both organizations and find longer-term solutions; this approach is described in section 3.2.

3.1 Opportunities to Address Immediate Issues

The AAC stressed the need to enhance opportunities for AZs to engage with the CASA Board in a meaningful way, to the benefit of both the AZs and the board. The AZBC agreed that efforts should be made to do this by improving and expanding on mechanisms that already exist.

3.1.1 Airshed Zones Report to the CASA Board

Currently, each AZ makes an annual presentation to the CASA Board. These presentations have generally tended to focus on topics like the monitoring results for the zone, changes in the monitoring program, and updates on administration, communication and outreach initiatives. The AZBC and the CASA executive agreed that this format could be more effective and improvements could be implemented immediately.

The committee is of the view that CASA should continue to request a written report from each zone once a year, but an annual presentation is not necessary unless the AZ wishes to bring a particular issue to the board’s attention or is interested in strategic advice from the board. In those cases, the AZ can contact CASA and request time on the agenda. Examples of issues that might be brought forward from AZs include, but are not limited to:

- Systemic data management issues (such as QA/QC) that may be resolved by a CASA project team.
- Issues related to implementation of CASA frameworks and the delivery of regional outcomes in those frameworks. If something has not worked well, adjustments should be made for future frameworks, or revisions to an existing framework might be warranted.
- Unexpected outcomes of CASA decisions after implementation.
- Other issues or challenges facing AZs that may require strategic advice from variety of stakeholders.

Recommendation 1: Reports to the CASA Board from Airshed Zones

The Airshed Zones Board Committee recommends that:

Individual airshed zones continue to provide the CASA Board with a written status update, including details of monitoring results and their implications, on an annual basis.

Presentations from airshed zones to the CASA Board should be made only in situations where the airshed zone is requesting strategic advice from the board or has a specific issue that needs to be brought to the board's attention.

The AAC's mission is to support and advocate for Alberta AZs, and its purpose is twofold: to identify and advocate for common interests of Alberta AZs, and to facilitate communication and cooperation among AZs and between AZs and the public.

Because the AAC may provide a different perspective than individual AZs, the committee agreed that the AAC should be invited to an annual written report to the CASA Board and to have the opportunity to make presentations to the board as appropriate.

Recommendation 2: Reports to the CASA Board from the Alberta Airsheds Council

The Airshed Zones Board Committee recommends that:

The Alberta Airsheds Council be invited to provide the CASA Board with a written update on an annual basis. When strategic issues that concern a number of airsheds arise, airshed zones can decide among themselves how best to present common issues to the CASA Board. This could involve a presentation by the Alberta Airsheds Council on behalf of the airshed zones.

3.1.2 Consultation with Airshed Zones Prior to CASA Board Meetings

CASA Board meetings often include agenda items of interest to AZs. The AZBC would like to see more proactive engagement with the AAC in advance of each CASA Board meeting to share the draft agenda and enable the AAC to identify items of significance to AZs. In such cases, AAC members would be given the opportunity to contribute to the board discussion on these items by invitation of the chairperson. The committee noted that reports with major significance to AZs would have had an AZ member on the project team and the AZ representative could also request at the team level that they be involved in the presentation to the Board.

Recommendation 3: Consultation with AAC prior to CASA Board meetings

The Airshed Zones Board Committee recommends that:

In advance of each CASA Board meeting, the CASA Secretariat will consult with the AAC to determine if any proposed agenda items are of significance to airsheds. Together, they will discuss items to recommend to the CASA executive and topics where the AAC should be invited to attend the board meeting and contribute to the discussion.

The committee is aware that these three recommendations do not address one of the AAC's major concerns: the ability to participate fully in decision making at the CASA Board level, including the

ability to block consensus on policy recommendations that directly affect AZs operation. Two possible situations are envisioned in which this becomes an issue:

- A project team is reporting to the board with recommendations that affect the interests of AZs, and the AZs were unaware of this team and its work. There would have been no opportunity to participate at the project team level and voice any AZ concerns and ensure they are reflected in the team's final report.
- AZs were represented on a team that did not reach consensus because of a block by the AZ member. In the CASA process, the board could reach consensus because the non-consensus items are not an issue for any one of the stakeholder groups on the board. In the absence of AZs representation, the board could make a decision that has the potential to negatively affect AZs.

Board membership would provide a conclusive means to eliminate the possibility of these scenarios occurring. However, the committee believes that this report and the successful implementation of these recommendations should significantly improve AZs-CASA communication, and reduce the likelihood of these situations actually arising.

3.2 Finding Longer-Term Solutions

The role of AZs is evolving and could be affected by various new initiatives, recommendations and frameworks, such as regional planning being done under the Land-use Framework, a new Clean Air Strategy, possible changes in ambient monitoring, the regulatory framework for cumulative effects, and the emerging national Comprehensive Air Management System being developed through a multi-stakeholder process. Thus the future role for AZs could change but the direction is not yet clear as to what their role will be with respect to monitoring, planning and management of air quality. Alberta's shift to more regionally focused environmental management schemes could also have implications for CASA and the management frameworks it develops in the coming years.

3.2.1 CASA Standing Committee on Airshed Zones

The AZBC believes that an ongoing mechanism is needed to both anticipate and respond to these changing circumstances and that establishing a CASA Standing Committee on AZs would be an appropriate approach. CASA already has several standing committees to deal with ongoing matters of importance to the organization. These committees receive core funding from CASA and are supported by the secretariat. The Standing Committee would develop its own terms of reference for approval by the CASA Board, focusing on issues common to both CASA and the AZs, and on AZs-CASA interaction.

Recommendation 4: CASA Standing Committee on Airshed Zones

The Airshed Zones Board Committee recommends that:

- A CASA Standing Committee on Airshed Zones be established at the March 2010 board meeting, and its terms of reference be presented to the June 2010 board meeting for approval.

The AZBC envisions that the Standing Committee membership should have one member from each stakeholder group and a similar number of members from AAC and AZs. The chair or co-chair of the

committee could act as a champion at the CASA meetings. The first task for the Standing Committee would be to review the CASA Airshed Zone Guidelines, which presents an opportunity to examine the relationship between CASA and AZs. Other potential tasks could include:

- Looking at overall policy pressures, pressures from the public, and other emerging issues, and considering how to respond strategically.
- Further clarifying the roles, interests and the relationship between the AAC, AZs and CASA and recommending how to address concerns.
- Identifying policies and strategies that will potentially affect future roles of the AAC, AZs and their relationship with CASA.
- Reporting at least once a year to the CASA Board on its work, including progress in:
 - implementing the recommendations from the AZBC; and
 - assessing how AAC, AZ and CASA concerns have been addressed, and if any new concerns have arisen.
- Reviewing the question of AAC membership in CASA no later than 2013.

Project teams would continue to have AZs representation on issues where AZs are identified as stakeholders. If the Standing Committee identifies a new issue that requires in-depth work by CASA, a statement of opportunity could be prepared. The Standing Committee would not get involved in changes to the mandates of specific AZs.

By agreeing to these recommendations in the report, CASA is not making any formal statement on the mandate of the AAC. In addition, it is not expected that these recommendations will require that CASA be responsible for ensuring sustainable funding to support future operations of airshed zones. We see this report as, instead, one step in addressing concerns raised.

Appendix A: Committee Members

| Name | Stakeholder Group |
|---------------------------------|--|
| Jillian Flett | Government (Alberta Environment) |
| Bob Cameron | NGO (South Peace Environmental Association) |
| Krista Phillips | Industry (Canadian Association of Petroleum Producers) |
| Kristina Friesen | AAC (Alberta Airsheds Council) |
| Kerra Chomlak | CASA |
| Gustavo Hernandez | CASA |
| Bill Clapperton (former member) | Industry (Canadian Natural Resources Limited) |
| Linda Jabs (former member) | CASA |

With advice and support from the CASA Executive Committee Members:

| | |
|----------------|-------------------------|
| Peter Watson | President |
| Myles Kitagawa | NGO Vice President |
| John Squarek | Industry Vice President |

Appendix B: Terms of Reference

Background:

At the September 23, 2008 CASA Board meeting, the Secretariat was directed to form a committee to develop a Terms of Reference to address the issues raised by the Alberta Airsheds Council. Many of the CASA project teams use air quality monitoring data that is collected by the airsheds to assess the current state of air quality trends. There is a reciprocal relationship between CASA and the airsheds in that airshed monitoring supports the policy development and planning at CASA and CASA project teams make recommendations for the monitoring and assessment of air quality by airsheds. Historically, airsheds have not had the opportunity to participate in board decisions that impact airsheds' operation and direction.

The relationship between CASA and Airshed Zones needs to be clarified and roles and responsibilities for each of them need to be clearly understood. The role of airsheds is evolving and will be impacted by policies such as the Land Use Framework (LUF), Ambient Monitoring Strategic Plan (AMSP), the Clean Air Strategy (CAS) and PM and Ozone Management Framework (PM & O). Given the uncertainty of exactly how air quality management will be handled in the future, the relationship between airsheds and CASA may evolve and efforts should be made to clearly define and understand existing roles.

Goal:

The goals of the Airshed Zones Board Committee (Committee) are to achieve clarity with respect to the roles and relationships between the CASA Board and the Airshed Zones.

Objectives:

The Committee agreed by consensus to the following objectives:

- (a) Understanding the needs of airshed zones from their involvement with CASA
- (b) Understanding the needs of CASA from its involvement with airsheds
- (c) Reviewing the *CASA Airshed Zones Guidelines*, particularly the benefits of airshed zones being involved with CASA, to determine if their needs are being met. If the needs of airshed zones are not being met, then gaps will be identified and recommendations made for future changes to the Guidelines.
- (d) Identifying policies and strategies (e.g. LUF, CAS) that will potentially impact future role of airshed zones and their relationship with CASA
- (e) Based on an understanding of the needs of airshed zones and potential future roles, identify what membership on the CASA Board will mean for Airsheds and recommend whether airsheds should be included in CASA Board membership.

NOTE: Airshed zone membership on the Committee will be recommended for consideration by the Board when they discuss the terms of reference at the June Board meeting

Key Task Areas:

The Airshed Zones Board Committee will undertake the following tasks:

1. Meet with the Alberta Airsheds Council (AAC) to understand and document their interest and expectations. This would include a review of the June 24, 2008 presentation on Board membership prepared by the AAC. Kerra and Linda will explore the possibility of getting some time on the June AAC Agenda to give an update on what the Committee is proposing, with a view to spending more time on this at the September AAC meeting.
2. Meet with the CASA Business Planning team to gain an understanding of what they see for the future relationship between CASA and Airsheds.
3. Develop proposed recommendations for the CASA Board.
4. Discuss the recommendations with the Airshed Zones.
5. Prepare the Final Report and Recommendations to the CASA Board that would include:
 - (i) Clarification around the interests and the relationship between Airsheds and CASA
 - (ii) Clarification of the roles around implementation of any recommendations and monitoring the implementation of the recommendations.
 - (iii) Recommendations on a process to deal with any future issues that may arise between CASA and Airshed Zones.
 - (iv) Recommendations as to whether or not Airshed Zones should be included in CASA Board membership.
 - (v) Define a process to address future initiatives that could have implications for airshed issues. (This would be dependant on whether or not Board membership is recommended.)

Timelines:

The Airshed Zones Board Committee will present this proposed terms of reference to the CASA Board in June 2009, and, if accepted, the Airshed Zones Board Committee will meet with the AAC in September to scope out the issues. The Committee would continue to meet during the fall of 2009 to develop their recommendations and present its findings and recommendations to the CASA Board in December 2009.

Budget:

It is anticipated that the regular work of the committee will be supported by the CASA internal budget. If the committee deems additional work is required, fundraising will be sought from committee members.

Membership:

Alberta Environment
NGO from Environmental Group
Industry
Airshed Zones Council
Municipalities

The Terms of Reference will clearly indicate that this is a CASA Board Committee making recommendations for Board approval.