

# Final Minutes



## Clean Air Strategy Project Team Meeting 19

March 10-11, 2009

Shell Canada, Calgary

### In attendance:

<b>Name</b>	<b>Organization</b>
Jennifer Allan	CASA
Don Bradshaw	Alberta Energy
Glynis Carling	CAPP
Lawrence Cheng	Alberta Environment
Kerra Chomlak	CASA (by phone, day 2, morning)
Peter Dzikowski	Alberta Infrastructure and Transportation
Gerry Ertel	Shell Canada, CPPI
Debra Gardiner	Enmax
James Guthrie	TransAlta
Tony Hudson	The Lung Association
Sandy Jones	Alberta Agriculture and Rural Development
Steve Kennett	Pembina Institute
Myles Kitagawa	Prairie Acid Rain Coalition
Alison Lewis	Graymont Western Canada
Al Mok	Suncor, CAPP
Bettina Mueller	Alberta Environment
Krista Phillips	CAPP (for Anita Sartori)
Kim Sanderson	CASA
Al Schulz	CCPA (day two)

### With regrets:

<b>Name</b>	<b>Organization</b>
Michael Brown	ERCB
Long Fu	Alberta Environment
Tim Goos	Environment Canada
David Lawlor	Enmax (PPA Buyers)
Allan Mumby	Alberta Airsheds Council
Anita Sartori	CNRL, CAPP
Jason Schultz	TransCanada
Nashina Shariff	Toxics Watch Society
Merry Turtiak	Alberta Health and Wellness
Srikanth Venugopal	TransCanada

## Action items:

Task	Who	When
17.8: Team members will forward any key stakeholder dates in 2009 to Jennifer in an effort to coordinate stakeholder consultations.	All	No longer applicable
18.2: The Public Consultation Subgroup will consider in more detail the process for addressing feedback that comes in phase 3.	Public Consultation Subgroup	No longer applicable
19.1: Jennifer and the co-chairs will prepare material for the March 18 board meeting, updating the board on changes in the process and asking if the board wants to provide input on the draft recommendations via a special workshop in April.	Jennifer, co-chairs	March 16
19.2: Bettina will inquire if AENV is comfortable with a letter being sent by the team to stakeholders who have been involved in the CAS consultations to date to inform them of the status of the project and give them an update on the process.	Bettina	March 18
19.3: Jennifer will discuss with Sharon any implications of changing the terms of the contract for the consultant.	Jennifer	March 20
19.4: Myles will draft text related to continuous improvement.	Myles	March 19
19.5: Kim will add a glossary to the report, using definitions provided by AENV that have already been agreed to in Alberta.	Kim	March 26
19.6: Myles and Don will draft text related to tradeoffs.	Myles and Don	March 19
19.7: Jennifer will prepare and distribute a timeline, reflecting the revised process for the team to complete its work.	Jennifer	March 13
19.8: Jennifer and Kim will complete the table with responses from the team to each comment.	Jennifer and Kim	April 3

Bettina Mueller convened the meeting at 10:15 am. Those present introduced themselves. The team thanked Gerry for hosting the two-day meeting.

### 1 Administrative Items

#### a) Approval of agenda and meeting objectives

Meeting objectives and agenda were approved.

#### b) Approve minutes from meeting 18

The minutes from meeting 18 were approved by consensus.

#### c) Action items follow up

Task	Status
17.8: Team members will forward any key stakeholder dates in 2009 to Jennifer in an effort to coordinate stakeholder consultations.	Nothing received. Members were reminded to forward dates if they are aware of them.
18.1: The Public Consultation Subgroup will consider whether comments about how the team responded should be embedded in the draft CAS.	On today's agenda.
18.2: The Public Consultation Subgroup will consider in more detail the process for addressing feedback that comes in phase 3.	Carry forward.
18.3: Jennifer will ensure the February agenda includes an update on stakeholder consultations.	On today's agenda

<b>Task</b>	<b>Status</b>
18.4: Sharon will contact the Calder Bateman researcher to get a precise number as to how many responses this amount includes and to flesh out any other parameters and deliverables to be covered by these funds.	Jennifer advised that the funds available will allow for 50 responses.
18.5: Anita will contact Renata in AENV to see if she can get further clarification on the specific comment pertaining to Aboriginal involvement in monitoring programs.	To be addressed in the presentation from the Consultation subgroup.
18.6: Bettina will contact Mike Brown about identifying an AQMS subgroup member from the ERCB.	No one has been identified
18.7: Jennifer will check with Kerra Chomlak to see if she wants to be on the AQMS subgroup.	Done. Kerra is participating.
18.8: AQMS subgroup will review the AQMS and bring recommendations to the team.	Done.
18.9: Long and Debra will review the list of candidate areas for strategies in PPC action 3a to consolidate and add descriptive text as appropriate.	Will discuss at this meeting
18.10: Jennifer will contact Calgary-based team members about hosting the February meeting.	Done

#### **d) CASA Update**

Jennifer provided the following update:

- The Ambient Monitoring Strategic Plan team plans to report to the CASA board in June and will likely have three areas of non-consensus related to funding and implementation. This team sees a lot of overlap with the CAS project and would like to talk to the CAS team.
- The Indoor Air Quality symposium will be held in Calgary at the end of April.
- The CASA board is doing outreach to GOA departments. They will meet next week with Municipal Affairs and Housing, and Sustainable Resource Development. A CAS update will be included in the presentation.

## **2 Public Consultation Phase 3 Update and Team Timelines**

Tony Hudson presented an update on work to prepare for phase 3 consultations. Timelines are critical and will depend on when the team decides to go forward with the consultations. The subgroup feels 45 days are needed to do the consultation, with additional time to review and absorb the input. The components of the phase 3 consultations are a website, online survey and focus groups. Tony reviewed the criteria for focus group members and indicated that the subgroup is requesting an additional \$2000 from the team's budget for a total of six members of the focus groups for whom CASA is likely to have to cover expenses. Team members will not be involved in the phase 3 consultations. He noted that CASA staff are preparing a list of potential focus group participants, but team members should forward names as well. If the draft recommendations are not ready for consultation by the end of April, there will be a three-month delay going to the board. The subgroup was asked to confirm that \$2000 would be sufficient, but later in the meeting, the team agreed to a different consultation approach.

### 3 Process to Finalize Report and Recommendations

Team members discussed the process and timelines for finalizing the report and recommendations. A revised document with input from this meeting would be the basis for the consultation; by the end of this meeting, the team will have dealt with all showstoppers. Stakeholders have not seen the text on the Air Quality Management System and Governance goals 3 and 4, so new issues could emerge. Dates are also missing from the draft. Stakeholders will still have a chance to provide comments during the consultation period.

The team was reminded that CASA's task is to advise on what should be included in a Clean Air Strategy, and it will be up to the GOA to draft the actual strategy. The team provided the following comments:

- Consensus at the CASA table is valuable and important and the GOA should take this into account when receiving the recommendations for a draft CAS.
- The CASA process is more robust than most and the GOA needs to know, or be reminded, that this means there is already comfort among stakeholders with the recommendations.
- The team should go back to stakeholders before going to the public to ensure that other showstoppers don't arise.

The team agreed that the next draft will include material on the Air Quality Management System. The only thing that will come back to the team from stakeholders will be further showstoppers. The team will have one more round of discussion, and then the document will go out for public consultation before the end of April. However, this process was revised later in the meeting. New content will be highlighted for the next draft and we will keep a log of deleted showstoppers.

Bev Yee, ADM with Alberta Environment (AENV), joined the meeting by telephone. She noted that the CAS is a high priority for AENV. A coordination meeting was held recently with GOA, and Bev wanted to:

1. ensure that team members have a common understanding of what the accepted product is from the team and, subsequently, from the CASA board, and
2. describe what happens once the GOA gets the CAS recommendations from CASA.

#### 1. Expected product

AENV asked CASA to develop recommendations on what should be contained in a new or renewed Clean Air Strategy for Alberta; i.e., among other things, what should the air quality management system look like to meet future challenges. Bev also advised the team not to get into too much detail on how a CAS should be implemented. The GOA will ensure that what is implemented aligns with other initiatives including the Land-use Framework. In some places, the current draft recommendations have too much detail and should focus on "what" rather than "how."

#### 2. Process

After receiving CASA's recommendations, the GOA will initiate a cross-ministry process and draft the Clean Air Strategy, considering the CASA recommendations.

The Minister will ultimately take the strategy to Cabinet. AENV would like to receive the draft recommendations in June.

Bev noted that the recommendations appear robust, and that it might be better for the GOA to do the third phase of consultation after the strategy itself has been drafted. This would enable a wider consultation and would also allow ideas for implementation to be tested. Instead of focus groups in April and May, there could be a special workshop with the CASA board to look at the draft recommendations in detail and develop a broader understanding before approving them in June.

### Discussion

The team then engaged in a question and answer session with Bev.

*Q: CASA's understanding is that once the consensus process is done, the Minister of Environment would advocate for the product. Would this practice apply to the process you've just described? Will the CASA product be defended by AENV as it goes through the cross-ministry process?*

BY: If this team comes up with consensus recommendations, AENV will champion them. But this product will be a little different from others that CASA has done. We will still need to do a strategy that touches other departments and aligns with other GOA initiatives. We would take consensus recommendations very seriously, knowing that integration still has to be done.

*Q: You asked us to focus on "what" rather than "how." However, in some cases, the product is a process rather than an assessment, and how the work is done is an important outcome.*

BY: Using the governance section as an example, in some places specific mechanisms are noted as potential actions and this becomes problematic. The GOA already has other mechanisms in place and is trying to integrate them (cumulative effects, regional planning). The value of the CAS team's advice is in describing the characteristics of the governance system we are recommending. The team should elevate its recommendations to describe what it thinks an effective governance system for managing air quality should look like.

*Q: If we change the consultation process, there will likely be implications for our contract with the consultant.*

BY: There would be value in having a consultant facilitate the workshop with the board.

The team thanked Bev for providing additional clarity around GOA expectations, and Bev left the meeting discussion at this point.

The team discussed next steps in light of Bev's suggestions, and also came back to this matter on the second day of the meeting. The following points were noted:

- The GOA expects that work on a draft strategy would start in the fall and be done by spring 2010.

- This is a very integrated project team and it would be good to have a product that we can defend as being integrated when we deliver it.
- One outstanding issue is the detail in which we address non-point sources and transportation, and funding. The more general the recommendations are, the easier it is to get all departments to agree.
- Some stakeholders had concerns about the short length of time to comment on the current draft.
- There were some implied commitments at the town hall meetings from the team to come back out to the public later in the process via a survey and to share the draft recommendations. In following Bev's suggestion, phase 3 of the consultation would be done by the GOA when the CAS is drafted.
- It would be useful to have a letter from AENV or the team to those who have participated in the consultation process so far, advising them of the status of the project and next steps. This letter could go out around the time the next draft goes to the board and stakeholders. The key message would be that this approach gives them an opportunity to comment on the proposed draft CAS itself rather than on recommendations for a draft. The concern was that the team had raised expectations with the public that there would be an opportunity to comment on the draft this spring.
- Regarding CASA board engagement, the board was asked last year if members wanted a workshop and they declined. This could happen again if board members feel they have been adequately represented at the team table. The board will be asked at its March 18 meeting if it wants a workshop. The team should recommend to the board what the mandate of such a workshop would be; are board members acting as a "proxy" for public opinion rather than as stakeholders?
- Other departments not represented on the CASA board also need to be engaged, and AENV needs to ensure that happens.

***Decisions:***

- ***The team will forego the planned phase 3 consultations and instead will send the next draft out to both stakeholders for comment and the CASA board in preparation for a workshop (if the board requests).***
- ***The board will be asked at its March 18 meeting if it wants to have a workshop in April to review the draft recommendations and provide feedback before approving them at the June meeting.***
- ***Further public and stakeholder engagement will be delayed until the actual CAS is drafted and these consultations will be done by the GOA.***
- ***A letter will be sent to interested stakeholders, updating them on the process and advising them of the opportunity to comment on the draft CAS when it is ready.***
- ***The team agreed to include a recommendation that the GOA undertake broad public consultation on the eventual draft CAS.***

**Action 19.1: Jennifer and the co-chairs will prepare material for the March 18 board meeting, updating the board on changes in the process and asking if the board wants to provide input on the draft recommendations via a special workshop in April.**

**Action 19.2: Bettina will inquire if AENV is comfortable with a letter being sent by the team to stakeholders who have been involved in the CAS consultations to date to inform them of the status of the project and give them an update on the process.**

**Action 19.3: Jennifer will discuss with Sharon any implications of changing the terms of the contract for the consultant.**

#### **4 Review of Draft Report and Recommendations and Stakeholder Input**

Members agreed that the more clarity they could provide in their report and the more they can reach consensus, the better the final product will be. The team reviewed each section of the draft report, guided by the table with stakeholder feedback and with reference to the draft report. A response was noted in the right-hand column of the stakeholder feedback table. Other changes are noted in these minutes and the report will be revised with reference to the feedback table and the minutes. The team focused first on the “showstopper” comments and those that were flagged as “important” to the stakeholder, then worked through the entire table.

- A funding recommendation will be inserted near the beginning of the document, using the same principles that have been articulated by the Ambient Monitoring Strategic Plan team.
- In Knowledge and Information, add a recommendation on the need for thorough policy analysis on the true cost of technology options and implementation, and costs if something is not implemented.
- The AQMS section of Governance is new to the team, and is not entirely complete. The sub-group needs to do further work to better “tell the story” in a less-fragmented way.
- Pollution Prevention and Control section:
  - Continuous improvement (CI) is important and the concept needs to be stronger and more explicit within the concept of PPC. This is partly related to grandfathering. What are we really talking about – capital stock turnover, availability of technology to change and manage air quality most effectively, etc.?
  - How grandfathering is framed, interpreted and implemented will be critical to getting CI, and it might be best not to use the term “grandfathering.”
  - PPC is forward-looking; applying it retroactively could create credibility problems.
  - CI can be built in during capital upgrade cycles and turnovers rather than be imposed as an immediate retrofit. Incentives can also be used to advance CI ahead of capital turnovers.
  - Industry needs regulatory certainty and having CI expectations at the time of renewals or approvals is more acceptable.
  - These approaches are fine when growth can be managed, but when there is rapid growth and demand from new facilities, there may be no emissions room for new players because some existing facilities have done nothing to improve their emissions performance for years and are taking up most of the emissions room. This is a real situation in Alberta.

- Policy and regional planning processes can affect the approaches used to incent CI.
- Alberta is already facing physical limitations with water and we should recognize there are similar limits in terms of air space. CI can take many forms, and implementation is very important and critical. We should not get into a lot of detail, simply that there are different ways to make sure CI happens.
- CI is very intensity-related. There are good reasons to cluster development but there will be more air pollution in that area. To say everything has to stay where it's at in terms of emissions is a problem.
- The situation is different if we are talking about a Greenfield development or an established area. We don't want air quality to limit new entrants in an established area, but there is opportunity for existing plants to create room for them. We don't want to design rules that entrench worst possible outcomes.
- The Energy strategy contains the idea of an eco-cluster, which supports CI. If we see those types of development strategies, we need CI. Some areas will have more intensive development. We aren't talking about worst case scenarios. We are talking about development that also has a policy driver.
- The question is how do we manage toward an air quality outcome? The reality is that the way current policy is written, we look at technical feasibility in an economic context, then ask are we still okay with the outcome. Technology develops and we need to consider what improvements can be made at existing facilities, always in the economic context, to keep air quality as good as possible. Some AQOs are a negotiated number and are not set at the "no effects" level. That's why we want to keep pushing emissions down.
- The concepts of CI and pollution prevention are largely supported across industry. How they are applied would be situation specific. In an intensely developed area that may approach the AQOs, it is challenging to even apply CI and BATEA; is it viewed as a failure if such areas approach the AQOs? Industry wants recognition that the objectives mean something.
- Degradation in air quality due to a cluster development, within what we consider acceptable limits, would not be failure. But it would be failure if we did not apply the technology standards of the day that are available for retrofits and to new development. CI means we need to make that technology assessment and minimize environmental degradation. This is not at all costs and is also not a giveaway. Success would be enabling economic growth and minimizing environmental impact. Many policy tools are available to help this happen.

**Action 19.4: Myles will draft text related to continuous improvement.**

**Action 19.5: Kim will add a glossary to the report, using definitions provided by AENV that have already been agreed to in Alberta.**

- Other general comments:
  - The order of the strategic directions will be changed so PPC comes ahead of Knowledge and Information.
  - Four overarching points that capture the intent of each strategic direction will be developed and incorporated into the document.



- Develop text related to the significance of tradeoffs and potential ways to minimize the need for them.

**Action 19.6: Myles and Don will draft text related to tradeoffs.**

## **5 Next Steps**

The team proposed dates for completion of key tasks. Comments on the AQMS section and Governance goals 3 and 4 will be addressed by the AQMS subgroup on March 17. The Straw Dog Subgroup will meet on March 26 to assign timelines to each action item and to review the overall draft for continuity, duplication, etc. The revised draft will be sent to stakeholders on April 3, along with the table of feedback and team responses. Major changes will be noted. Comments are due by May 4 so the team can discuss them at its last meeting, planned for May 12.

**Action 19.7: Jennifer will prepare and distribute a timeline, reflecting the revised process for the team to complete its work.**

**Action 19.8: Jennifer and Kim will complete the table with responses from the team to each comment.**

The team will discuss at the next meeting how to relay comments from stakeholders to the GOA. Comments related to implementation may be useful when drafting the strategy. This would also value the time and ideas of stakeholders who provided comments.

The next meeting will be held May 12 in Edmonton.

The meeting adjourned at 3:35 pm on March 11.