



Assessment Key Findings

Bay Area Air Quality Management District

Introduction

This Assessment Key Findings Document presents key findings from meetings and interviews held with external stakeholders of the Bay Area Air Quality Management District (Air District) and an evaluation of the communications functions of the Air District.

Kearns & West and Hope Road Consulting held meetings and interviews with stakeholder to solicit feedback on the strengths and areas for improvement regarding how the Air District currently engages stakeholders and the broader public in its outreach, decision-making processes and programs. The stakeholders interviewed have been actively involved with one or more Air District programs or processes and represent a range of interests including advocates for impacted communities, representatives of permitted facilities, and agencies affected by Air District decisions.

Kearns & West and Hope Road Consulting also evaluated the communications functions and techniques the Air District uses in support of its public engagement efforts.

The Assessment Key Findings are intended to provide a broad set of findings to inform the development of goals and recommended strategies for the Public Engagement Policy and Plan.

Stakeholder Interview Key Findings

The following key findings represent themes that were mentioned frequently by stakeholders through the course of meetings and interviews. The feedback received from stakeholders included both recognition and appreciation that the Air District conducts both required public outreach and, at times, goes beyond the requirements to enable more robust engagement. Stakeholders expressed concerns with the consistency and quality of implementation.

A. BAAQMD.gov Website

Strengths

- Experienced stakeholders have found there is a wealth of information provided on the website and many use it to inform day-to-day work.
- The Air District's website for air monitoring - <http://gate1.baaqmd.gov> - is a very valuable resource for clean air advocates throughout the region.
- Many stakeholders, from both NGOs and industry, hope the new Production System for permit information can enable greater transparency of the permitting process and the performance of different permitted facilities. Stakeholders hope there is an opportunity for feedback on the final system design by a multi-stakeholder group.
- Many stakeholders appreciate the email system for notification that has been developed, as this pushes essential information to their inboxes; therefore, they do not have to continually monitor the website.

Concerns Expressed by Stakeholders

- Many people prefer the previous website design and architecture more than the current design. They found it easier to navigate and it had information that has not been included on the new website.
- The homepage is nearly universally criticized, primarily because people find the Live / Work / Know framing as too conceptual and not utilitarian enough, and information is hidden behind drop-down menus.
- Many people use Google Search rather than the Air District's website search tool for navigating through or using the search function on the site.
- The content on the website is not seen as reader-friendly and accessible, particularly for the lay public and businesses. Stakeholders want the website designed from ease of use from the public's perspective.
- Many people would like significant improvements in the website's permit section. They would like to see current and more complete information about permitted facilities and permit applications. Specifically, stakeholders want a categorized, searchable, map-based database of permitted facility information. They also want information on notification sign-ups and opportunities for public comment.
- Stakeholders want to be able to track, via the website, public comments (e.g. for rules and permits), complaints (e.g. for smell, health impacts, etc.), and enforcement actions. The calendar needs additional information on when committee meetings are going to be held, when meetings are scheduled in the more distant future (e.g. 3-4 months ahead, if possible), and when meetings are cancelled.

- The website copy and documents have limited availability in non-English languages.

B. Public Meetings and Engagement

Strengths

- When a new rule is being developed, the Air District makes a point of holding briefings to explain it to interested members of the public.

Concerns Expressed by Stakeholders

- The briefings are not held early and often enough in the process to educate area residents about an issue before residents have already organized into positions. The briefings are more often held reactively than proactively.
- Divisions of the Air District are inconsistent in their approach to participant notification, recruitment, and engagement.
- Many public meetings could be more effective with better planning, trained facilitators and established ground rules.
- The number of briefings held is not proportional to the number of facilities that will be affected by a particular rule.
- Members of the public would prefer the opportunity for two-way dialog rather than just listening to information, particularly about controversial issues.
- Stakeholders want to see evidence that their comments are recorded and given serious consideration, and they want to know what results from their comments.

C. Workshops

Strengths

- The Air District has created legitimate opportunities to shape policies and programs through the comments received at public meetings, workshops, and through ongoing meetings with smaller groups of stakeholders.

Concerns Expressed by Stakeholders

- Workshops on an issue are often held after Air District staff has introduced a rule, rather than before beginning development of the rule.
- The Air District could play a convening role for the region by bringing together fractious parties to address air quality issues in a more collaborative spirit. This could include a health summit of all air and GHG-related organizations in the Bay Area.
- The Air District has not yet established a process for identifying the relevant stakeholders for an upcoming decision.
- Stakeholders want to know what actions are taken, or not taken, as a result of their input at workshops.

D. Open Houses / Briefings

Strengths

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Concerns Expressed by Stakeholders

- The briefings are not held early and often enough to educate area residents about an issue before residents have already organized into positions. The briefings are more often held reactively than proactively.
- The number of briefings held is not proportional to the number of facilities that will be affected by a particular rule.
- Members of the public would prefer the opportunity for two-way dialog during which their comments are recorded rather than just listening to information, particularly about controversial issues.

E. Task Forces & the Advisory Council

Strengths

- The Air District has developed strong collaborative relationships with many stakeholders who are well-resourced in both technical capacity and availability to participate, such as industry associations, health departments, and a number of non-governmental organizations.
- When partner stakeholders keep Air District staff updated on progress on an issue, staff does a good job of responding to questions and concerns as they arise.
- The Air District's legislatively-established Advisory Council has provided an effective mechanism for external stakeholders to research emerging issues and provide the Board of Directors with guidance and recommendations on how to proceed.

Concerns Expressed by Stakeholders

- A primary complaint from stakeholders about Task Forces organized for a particular decision is that Task Forces are not organized early enough in the process, usually after the rule or policy is already out.
- Several stakeholders who have been involved in the Cumulative Impact Workgroup and/or the Community Air Risk Evaluation Program (CARE) Task Force (these two groups recently merged) complained about the ineffectiveness of this group due to poor meeting planning and facilitation, disruptive behaviors, lack of follow-up, and lack of progress from meeting to meeting.

F. Resource Teams and Grant-Making

Strengths

- The Spare the Air Resource Teams are, for the most part, constructive, collaborative, and effective bodies that the Air District empowers to undertake clean air projects.
- The Air District has provided grants to support air monitoring research that community advocates have requested.

Concerns Expressed by Stakeholders

- Many clean air advocates are not familiar with the Spare the Air Resource Teams. Some very active clean air advocates have never been invited to join a local Spare the Air Resource Team.
- Stakeholders that have applied for grants have often been confused as to the grant-making process, causing grantees to have to seek, rather than to receive, new information.

H. Public Education

Strengths

- When there are specific constituencies that will have to comply with a regulation, for example, diesel truck drivers, farmers, community planners, or permittees, the Air District does a good job of providing educational information and resources to support compliance.
- Many see the Spare the Air program as a very strong program, with a clear focus on behavior change.

Concerns Expressed by Stakeholders

- Some stakeholders believe that insufficient resources are put into educating the public on emerging regulations, for example, wood smoke or diesel regulations, affecting day-to-day activities.
- Some stakeholders have a sophisticated understanding of the science, modeling, and policies behind Air District decision-making, but others do not. This limits their ability to meaningfully participate. The Air District sometimes makes contradictory statements, sometimes even in print, which makes it difficult for supporters to mobilize regarding decisions.
- The Air District does not sufficiently inform the public of its various activities that directly benefit the public's interests, such as cleaning up dry cleaners and gas stations.

I. Hearing Board

Strengths

- The Hearing Board provides an independent body to adjudicate complaints brought by the Air District, external stakeholders, and permittees.
- The Board has taken decisive action against some flagrant violators of clean air regulations which has led to closing some facilities.

Concerns Expressed by Stakeholders

- The Hearing Board only meets in San Francisco, which inhibits broad attendance. Hearing Board members have found they are less productive when meetings are held in the field as the meetings are often attended by advocates almost exclusively supporting one position rather than a broader representation of interests.
- It has sometimes taken several years of complaints by stakeholders to get the Hearing Board to consider a case against a permittee.
- Little public notice seems to be provided of Hearing Board actions.

K. Public Comment

Strengths

- Air District staff is very responsive to -input from well-informed stakeholders who make targeted comments, particularly when there are a relatively limited number of comments on a given topic.
- Many stakeholders perceive Air District staff to be open and honest communicators.
- Many stakeholders have seen comments and advocacy make a direct impact on the decisions of the Air District.

Concerns Expressed by Stakeholders

- Many stakeholders feel that by the time a draft rule is released for public comment, staff has already made many of the key strategic decisions. This often makes public input seem like a formality which has little impact on the outcome of a rule.
- Several stakeholders think because environmental justice-focused organizations lobby the Air District intensively, this may result in rushed decisions that do not include the involvement or interests of other affected -stakeholders and communities.
- Many stakeholders do not find the Air District policy and process for complaints about permitted facilities to be responsive, primarily because the Air District does not provide feedback on what happens as a result of a complaint.
- When members of the public directly email Air District staff there is not an established policy for response turnaround time.
- Some Air District staff members take ownership of comments on a draft decision and run them through the appropriate channels to return to the relevant stakeholder with a response. Others do not and the comments seem to fall on deaf ears.

L. Other Items for Consideration

- **Language Complexity and Context:** Content for the website and public meetings is written in technical or complex language and lacks sufficient context.
- **Timing of Engagement:** Stakeholders often feel by the time they are engaged in a decision-making process, for example in rule development or permitting, the Air District has already made a decision, and that stakeholder input often has little-to-no impact on the outcome.
- **Complaint Response:** Stakeholders are not aware of the Air District's policy for responding to public complaints about facilities and want the Air District to provide information on facility complaints on the website.
- **Interpersonal Relations:** Some Air District staff members' interactions with stakeholders, particularly at meetings, are, at times, confrontational and defensive.
- **Public Records Requests:** Stakeholders are frustrated by having to make Public Records Act requests for information they think should be readily available.

Communications Evaluation Key Findings

This assessment is an evaluation of the communications functions and techniques of the Air District in support of its public engagement efforts.

A. Overall: The Air District's communications efforts are, overall, professional, cordial, and informative.

Media relations efforts indicate that the District is an effective voice in air quality news. There is evidence of respectful and productive one-on-one relationships between stakeholders and individual District staff.

B. Educating the public about engagement: The Air District does not adequately educate the public about how it makes decisions and how the public can be involved.

The Air District does not actively educate the public about how it makes decisions, how to engage with the District or how residents can impact decisions. This limits effective participation by stakeholders.

C. Providing information in a way the public can understand: Information about facilities subject to Air District regulations is neither easy-to-find nor easy-to-understand.

Residents often think in terms of geography rather than regulatory processes. Stakeholders interested in a specific location are unlikely to search through many webpages of regulatory processes for geographic-specific information. Many residents just want to know "What is in the air around me and how dangerous is it, what are you doing to protect me, and what can I do to protect myself, my family, my co-workers and my community?" This information is not easily available on the website.

An evaluation of a half dozen samples of writings drawn from the website, brochures, "The Guide to the Bay Area Air Quality Management" and materials designed for youth are written at a comprehension level for readers between the 12th through 21st grades. Lack of understanding complex regulations and science is a deterrent to active public interest and participation.

D. Stakeholder identification and email database management. The Air District collects names and contact information in disparate ways and misses opportunities to notify and follow-up with interested stakeholders.

For example:

- Call lines are anonymous and do not provide callers an opportunity to subscribe to notifications or a suggestion to sign up for information/notifications on the website. For the complaint line alone, there are approximately 12,000 active, interested citizens who may lose contact with the Air District after their call.

- The Air District website provides sign-ups for five individual newsletters rather than allowing an individual to enter an email once and select email list preferences. (Note: District staff is currently working on a new email list project that will allow individuals to sign up for District mailing lists at once and to manage their own subscriptions.)

E. Telephone access. The Air District’s phone system is highly de-centralized and does not have a clear, consistent, multi-lingual access point for people who call. This creates frustration and limits access.

For example:

- The “Guide to the Bay Area Air Quality Management” offers a dozen phone numbers, including three different lines for complaint lines which makes it difficult for the public to know, or remember, which number to call under which circumstances. A caller may have to hang up and dial a new number or be rerouted several times before reaching the office they need.
- Having so many numbers for the public to call makes it difficult to promote a single phone point of entry for the Air District.
- When a member of the public calls the main number, he or she is not given an option for assistance in other languages. Callers are provided three options – press a number for a directory, hang up and call one of four different phone numbers, or leave a message.
- The website does not have a “Contact Us” option on the home page; it is hidden within a drop-down menu.