Department of Toxic Substances Control
California Environmental Protection Agency

Community Advisory Group (CAG) Handbook

September 2009

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The Mission of the Department of Toxic Substances Control (DTSC) is to provide the highest level of safety, and to protect public health and the environment from toxic harm.

The mission of the DTSC Public Participation Program is to ensure that the public is informed and involved early; that their issues and concerns are heard; and that their comments are considered prior to final decisions by DTSC staff and management

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Introduction

A Community Advisory Group's (CAG) purpose is to provide a public forum for stakeholders to discuss issues and concerns relating to environmental projects under the California Environmental Protection Agency (Cal EPA), Department of Toxic Substances Control's (DTSC) direct oversight. Chapter 6.8 of the California Health and Safety Code outlines how a CAG will form. A CAG is made up of members who represent the entire community including local political or government agency representatives, environmental groups, community activist groups, responsible parties, and the general public who have an interest and concern for their environment.

Please note that the law does not include some elected officials, state or federal representatives as members of a CAG. DTSC, the Waterboard and other appropriate state/federal agencies may attend and provide information to a CAG, but they are not members according to the statute. Chapter 3, #6 located on page 10 goes into further detail regarding who can be a CAG member.

Since the early 1990s, DTSC has made a long-term commitment to involve the public in the DTSC decision-making processes as they relate to the protection of public health and the environment. As part of DTSC's ongoing commitment of best practices relating to public participation, this CAG Handbook has been developed by capturing the extensive experience of DTSC staff and external stakeholders in order to provide practical insights on how community members and stakeholders can form and maintain a fully functioning and productive CAG that meets the needs of a specific community in which a CAG may operate.

The structure of this handbook uses a question and answer format designed to allow the reader quick reference to the most common issues, questions, and information that is part of the development and ongoing maintenance of a CAG.

The CAG Handbook is composed of the following seven chapters and Appendices:

1. What Is a CAG?
2. How Is a CAG Established?
3. Who Can Participate in a CAG?
4. What Are the Roles and Responsibilities of CAG Participants?
5. How Does a CAG Operate?
6. When Is a CAG's Work Complete?
7. How Does Environmental Justice Relate to CAGs?

Appendix A: Sample CAG Charter and Operating Procedures
Appendix B: DTSC CAG Membership Notification
Appendix C: DTSC CAG Membership Application and Survey
Appendix D: DTSC Acceptance of CAG Membership
Appendix E: DTSC Denial of Individual CAG Membership
Appendix F: DTSC Guidance for Newly-Formed CAG
Appendix G: How to Access EnviroStor Site Information

Chapter 1 What Is A Community Advisory Group (CAG)?

A community advisory group or CAG is a group of volunteers who represent the composition and diversity of the local community or communities interested in DTSC investigation and cleanup activities at a specific site. The CAG provides an opportunity for all affected and interested community members to learn, discuss and provide advice to DTSC regarding cleanup activities at sites under DTSC's oversight. A CAG can also be established for several sites that are located in the same neighborhood.

1. What is the purpose of a CAG?

A CAG provides the community with the opportunity to become involved in specific site investigation and cleanup activities either as a CAG member or through attendance at CAG meetings. At these meetings, CAG members and the public are given the opportunity to ask questions and voice concerns directly to DTSC project staff. A CAG also creates a forum for two-way dialogue so that DTSC can inform the community of future plans and opportunities to become involved in DTSC's decision-making processes.

CAGs can only address issues associated with DTSC site-specific cleanup activities as outlined in section 25358.7.1 (a) of Chapter 6.8 of the California Health and Safety Code. Limiting CAG discussion to public health and environmental activities associated with DTSC oversight activities ensures that CAGs remain focused on issues that relate to DTSC's final decision-making authority.

Please note that while a CAG can meet as often as needed, DTSC may not be able to attend frequent meetings due to the level of staff resources. All meetings between DTSC and a CAG will need to be negotiated in advance.

2. How should a CAG be structured and operated?

DTSC recommends that a CAG prepare and operate under a well defined charter that clearly outlines the structure and operating procedures of the group (see Appendix A for sample charter). A charter that includes a mission statement and purpose will help focus the CAG and give it long-term direction and structure. A CAG charter, mission statement, and purpose can be amended if required.

3. What if I want to discuss issues outside of DTSC decision-making authority?

CAG members who wish to discuss activities outside of DTSC's decision-making authority need to directly contact the appropriate agency which has authority. DTSC staff may provide the CAG with roles, responsibilities and contacts with other agencies, but does not have the authority and resources to participate in activities outside of the departments' mandate.

4. What CAG activities can DTSC support?

- Review and comment on DTSC related project technical documents and activities
- Distribution of information to other community members not associated with the CAG;
- Receive input from the community and discuss this information at CAG meetings
- Act as a liaison between the community and DTSC
- Attend outside meetings associated with CAG activities

5. What CAG activities cannot be supported by DTSC?

The amount of support DTSC can provide to a CAG will vary based on the level of internal resources available, which is dependent on the amount of available state funding and workload. Because DTSC cannot provide funding for CAG activities, or administrative or clerical support, CAGs are encouraged to look for external sources, both private and public, in order to fund activities.

6. How can I find out about CAG activities?

All CAG meetings are open to the public, and it is the CAG's responsibility to organize these meetings and its other activities. A CAG will usually designate a chair, co-chair and an outreach/membership committee to coordinate, advertise and organize these activities. DTSC has an interest in how the meetings are advertised, when they occur, and that they are accessible to the general public. A CAG may also elect to undertake member only meetings depending on the issue(s) that may be discussed.

DTSC maintains both paper and electronic records of cleanup activities located in designated walk-in repositories and on an electronic online information system called EnviroStor. Instructions on how to access information on the EnviroStor Web site are located at: http://www.envirostor.dtsc.ca.gov/public/. Further information on how to access information on EnviroStor is also located in Appendix G of this handbook. Community members can also contact a specific CAG directly, via the CAG-Chairperson, or contact the designated DTSC Public Participation Specialist (PPS) for more information.

Please note that all documents that are part of a project's Administrative Record are not posted on EnviroStor. Typically, only project milestone and public participation documents are posted.

7. Are CAGs required?

CAGs are not legally required in order for DTSC to undertake environmental cleanup activities. However, Section 25358.7.1 (a), Chapter 6.8 of the California Health and Safety Code states that "At each site, a community advisory group may be established by the affected community to review any response action and comment on the response action to be conducted in that community."

8. Do CAGs have decision-making authority?

CAGs provide valuable input and community information for consideration regarding DTSC's site-specific cleanup activities, but CAGs have no decision-making authority in DTSC's process. DTSC will carefully and fully consider the input CAG members provide regarding DTSC project-related activities, but is not required to follow CAG recommendations.

9. Does a CAG need to reach consensus on each issue?

Consensus is not necessary. A CAG should enable its members to raise and discuss issues regarding investigation and cleanup of a site. A CAG will likely wish to reach consensus in providing input to DTSC. However, it is expected that CAG members may have differing views and opinions due to the segment of the community they represent. DTSC prefers to hear the different opinions of the CAG members and the groups they represent rather than require consensus before considering CAG input.

Chapter 2 How Is a CAG Established?

DTSC strictly follows guidelines for setting up and operating a CAG as set out in the California Health and Safety Code (see below). In order for DTSC to be consistent in establishing a CAG, Appendices B through F outlines information that is used in the initial setup period before a CAG becomes fully functional.

1. How does the California Health and Safety Code govern the formation of a CAG?

Section 25358.7.1 of the California Health and Safety Code that governs the establishment of a CAG states:

(a) At each site, a community advisory group may be established by the affected community to review any response action to be conducted in that community. The department or regional board shall regularly communicate, and confer as appropriate, with the community advisory committee. The department or regional board shall also advise local environmental regulatory agencies and other appropriate local agencies of planned response actions and provide opportunities for review and comment. If the department or regional board, whichever is overseeing a response action, receives a petition signed by at least 50 members of a community affected by the response action at a site or a resolution adopted by the legislative body of the jurisdiction within which the response action has been or will be initiated, the department or regional board shall assist the petitioners or the legislative body to establish a community advisory group to review the response action at the site.

(b) To the extent possible, the composition of each community group shall reflect the composition of the affected community and the diversity of interests of the community by including all of the following types of individuals on the community advisory group:
   (1) Persons owning or residing on property located near the hazardous substances release site or in an adjacent community, or other persons who may be directly affected by the response action.
   (2) Individuals from the local business community.
   (3) Local political or government agency representatives.
   (4) Local citizen, civic, environmental, or public interest group members residing in the community.

(c) The following entities may participate in community advisory group meetings in order to provide information and technical expertise:
   (1) The department or regional boards.
   (2) Representatives of local environmental regulatory agencies.
   (3) The potentially responsible parties or other persons who are conducting the response action.

(d) The existence of a community advisory group shall not diminish any other obligation of the department or regional board with respect to public participation requirements specified in Section 25358.7. Nothing in this section shall affect the status of any citizen advisory group formed before the enactment of this section, a federal Department of Defense Restoration Advisory Board, or a federal Department of Energy Advisory Board.

A full copy of the California Health and Safety Code can be found at the following Web site: **http://www.leginfo.ca.gov/.html/hsc_table_of_contents.html.**

2. Who determines the need to establish a CAG?

Section 25358.7.1 of the California Health and Safety Code outlines the requirements that govern the formation of a CAG. If a group of community members and stakeholders wants support from DTSC to create a CAG, they must submit a petition to DTSC or a resolution must be passed by a local legislative body such as a city council or a county board of supervisors. A petition must be signed by at least 50 members of the community. Formation of community groups within communities is a common occurrence. The CAG, however, is specific to DTSC's cleanup activities.

3. Does DTSC have the right to determine if a CAG can be formed?

If DTSC receives a resolution from a local legislative body or a petition of 50 signatures and the petition meets all requirements as outlined in Chapter 6.8, Section 25358.7.1 of the Health and Safety Code, DTSC is legally required to support community members in forming a CAG. However, if the cleanup is short-term (less than a year), there may be better ways for DTSC to obtain and consider community input other than forming a CAG. Contact your PPS for the site to determine the best approach.

4. What is the timeline for establishing a CAG?

Once DTSC receives a petition to from a CAG, the PPS and DTSC technical staff will evaluate the petition and work with the petitioner(s) to form the CAG. The timeline will depend on how much support the petitioners require to set up their group.

5. Who will establish the CAG?

Petitioners of a CAG will follow the guidelines as outlined in Chapter 6.8, Section 25358.7.1 of the Health and Safety Code. Once DTSC is satisfied that CAG petitioners have followed the required steps, DTSC staff will assist the petitioners in the establishment of a CAG.

6. How are members recruited when first establishing a CAG?

DTSC PPS and technical staff will work with the petitioners to form a CAG and to help solicit members. The first step is to identify individuals who represent the community's

diversity and wish to serve on the CAG. A simple approach is to circulate an application to community members. DTSC will consult with the petitioners, key local government officials and community leaders in order to verify that potential CAG members reflect the composition of the community and its diversity of interests.

7. How does a potential new member indicate interest in belonging to a CAG?

A CAG will typically form a membership committee. The individual wanting to serve on the CAG should approach/discuss the matter with the CAG membership panel. In most cases, DTSC continues to work with the petitioners until the CAG is formally established and until a membership committee exists. DTSC's regulatory authority does not allow DTSC to be responsible for making decisions about the CAG's membership once the group is established. However, as required in the California Health and Safety Code, DTSC is responsible for ensuring that the CAG membership retains the necessary stakeholder diversity as stated in the California Health and Safety Code.

An individual wanting to join an established CAG may contact the DTSC PPS, CAG-Chair, or other members of the CAG to inquire about membership. It is recommended that a newly-formed CAG have a formal process and mechanism for accepting new members.

8. How do I participate in a CAG meeting?

CAG meetings are open to the public. Community members interested in learning more about a specific DTSC project should attend CAG meetings. Interested community members can request that their names and addresses are added to the project specific mail list to receive announcements about future CAG meetings. CAGs welcome suggestions, concerns, or questions from community members and stakeholders. Community members and stakeholders may contact the DTSC PPS, CAG-Chair, or other members of the CAG to inquire about CAG meetings.

9. When does a CAG solicit new members?

A CAG may need to solicit new members in order to replace members who have left, or if demographics in the area change over time, such as when new residential or commercial developments are built. The CAG-Chair will follow the established CAG operating procedures for recruiting new members. If required, the DTSC PPS can be consulted for ideas and assistance.

10. If I live near a DTSC site without a CAG, how can I help establish one?

When DTSC oversight of investigation and cleanup activities are taking place at a site, and there is a high level of public interest, community members should contact the DTSC project PPS to request guidance on the procedures for forming a CAG. The name of the project PPS and his/her contact information can be found on the DTSC

EnviroStor Web site located at: www.envirostor.dtsc.ca.gov/public/. Instructions on how to use the EnviroStor Web are located in Appendix G.

11. What can I do if only a small number of community members are interested in a DTSC project?

If a small number of community members have an interest in a specific DTSC project that does not have an established CAG because the criteria in Section 25358.7.1 of the California Health and Safety Code cannot be met, the following actions may be taken:

- Form an informal group
- Call the DTSC project PPS for information and ask for a project update
- Talk to DTSC project manager for regular project update briefings

Chapter 3 Who Can Participate in a CAG?

1. How large should a CAG be to function well?

The size of a CAG will depend on the complexity and diversity of the community. As stated in Section 25358.7.1 of the California Health and Safety Code, a minimum of 50 community member signatures are required in order to petition DTSC to form a CAG. There is no set number for active membership. However, in DTSC's experience, CAGs comprised of 10 to 20 members are an ideal size to maintain constructive dialogue during face-to-face meetings. Regardless of the number of active CAG members, it is important that the CAG represent the diverse interests of the community as indicated in the California Health and Safety Code.

2. How does DTSC ensure that diverse interests are represented, and that CAG members fairly represent the local community?

DTSC will work with the CAG petitioner(s) and will consult with local elected officials, government agencies and key community members to create a CAG membership list that is representative of the community. When forming a new CAG, a membership selection panel may be established. The membership selection panel may include the petitioner(s), local elected officials and a representative from DTSC. Ideally, once the CAG is established, the CAG charter and operating procedures should ensure that CAG membership continues to reflect the diversity of community members and stakeholders. Typically, a membership selection panel will exist only during the creation of a new CAG, but yearly review of CAG membership diversity is advised, and DTSC will periodically review membership diversity as needed.

3. How are CAG membership applications distributed to the community?

A CAG membership application may be announced and distributed through several communication methods such as a flyer, fact sheet, public notice, radio/cable TV announcements and Web sites. Such outreach actions are necessary to ensure that as many community members as possible have the opportunity to respond and request CAG membership.

4. Can I provide input into the selection criteria of new CAG members if I am already a CAG member?

Existing CAG members may provide input into the selection criteria to replace CAG members who are leaving. Each CAG's unique operating procedures and charter should specify the nomination and selection process for replacing members.

5. Should I have environmental science experience to serve as a CAG-Chair or CAG member?

Scientific or environmental background is beneficial, but not required for CAG membership. DTSC technical staff will be available to explain site/facility specific environmental issues and procedures.

6. Can regulators and government officials be selected to become members of a CAG?

Regulators can be selected to become fully functioning members of a CAG, as long as they do not have regulatory oversight of the cleanup. DTSC staff cannot be fully functioning members of a CAG because DTSC is the lead agency overseeing cleanup activities. Section 25358.7.1 (b) (1), (2) (3) & (4) of the Health and Safety Code outlines the requirements of CAG membership as follows:

(b) To the extent possible, the composition of each community group shall reflect the composition of the affected community and the diversity of interests of the community by including all of the following types of individuals on the community advisory group:
- (1) Persons owning or residing on property located near the hazardous substance release site or in an adjacent community, or other persons who may be directly affected by the response action.
- (2) Individuals from the local business community.
- (3) Local political or government agency representatives who are not responsible for regulatory oversight in the cleanup action
- (4) Local citizen, civic, environmental, or public interest group members residing in the community.

(c) The following entities may participate in community advisory group meetings in order to provide information and technical expertise:
- (1) The department or regional boards.
- (2) Representatives of local environmental regulatory agencies.
- (3) The potentially responsible parties or other persons who are conducting the response action."

Chapter 4 What are CAG Members' Roles and Responsibilities?

This chapter outlines proposed roles and responsibilities of CAG members and key stakeholders that will assist in the long-term success of a CAG.

A. CAG Chair

- Schedules the time and date for CAG meetings and notifies all members, stakeholders, and the community
- Attends all CAG meetings or assigns a co-chair when personally not available
- Coordinates with the CAG secretary to prepare and distribute agendas preferably two weeks before CAG meetings take place, so that presenters have time to prepare information and/or responses to questions
- Ensures that CAG members have opportunities to provide input and participate in an open, honest, and constructive manner
- Ensures that community issues and concerns relating to the site or facility are addressed when raised
- Reports back to the community and coordinates with other CAG members to ensure that they are adequately representing the views of their segments of the community at CAG meetings
- Ensures that documents distributed to the CAG are made available to the general public
- Ensures that an accurate list of interested stakeholders/community members is developed and maintained
- Ensures that adequate administrative support is provided to the CAG by CAG members
- Refers issues not related to the project or facility to the appropriate officials
- Ensures follow-up on action items from previous meetings
- Facilitates meetings
- Assign a meeting facilitator, if no facilitator available
- Assign CAG member the review of pertinent site specific technical documents with a clear time line on when a review needs to be completed
- Seeks funding, if necessary, for CAG activities

B. CAG Co-Chair

- Support CAG-Chair in all activities listed above
- Assume roll of CAG-Chair when CAG-Chair is not available

C. CAG Secretary

- Supplies administrative support to CAG Chair and members as required
- With input from the CAG Chair, Co Chair and CAG members, drafts meeting agendas and distributes final agendas to CAG members and community members/stakeholders

- Maintains mail/e-mail/phone contact lists
- Maintains meeting notes and captures action items

D. CAG Members

- Attend meetings
- Provide individual input in an open, honest, and constructive manner
- Present and communicate community issues and concerns
- Review, evaluate and comment on documents and other materials related to a specific project or facility
- Represent and communicate CAG issues to the community

E. Government Agency Members

- Attend CAG meetings on an as needed basis when required to provide information
- Serve as a referral and resource for the site
- Review documents and other materials related to the site
- Participate in discussions of environmental issues and concerns that may/or may not come to a resolution with CAG members and the community
- Assist in the technical education and training of CAG members if requested
- Provide interpretation of technical documents

Note: As stated in Section 25358.7.1 of the California Health and Safety Code, local political or government agency representatives can participate as full participating members of a CAG only if the agency does not have regulatory oversight of cleanup activities at the site or sites to be covered by the CAG. DTSC cannot be a member of a CAG due to regulatory oversight.

F. Tribal Government Members

- Attend meetings
- Serve as a referral and resource to ensure that tribal environmental standards and regulations are identified and addressed by the Responsible Party (RP)
- Participate in discussions of environmental issues and concerns
- Educate CAG members regarding tribal sovereignty, tribal laws and their application to the site, if applicable
- Participate in the CAG without replacing the government-to-government relationship with the Federal government.
- Assist in education and training of CAG members relating to tribal issues and customs if requested.

G. Responsible Party (RP)/Project Proponent/Site Owner

- Attend meetings
- Serve as a resource for information on specific site

H. General Public

- Participate in CAG meetings. CAG meetings are always open to the public
- Ask questions to ensure understanding of CAG activities and cleanup activities at the site.

1. How should a CAG handle member(s) who may not be committed to a CAG's goals and objectives, or are not meeting their responsibilities?

It is recommended that each CAG charter and operating procedures provide guidelines on how to proactively manage situations that hinder open participation and communication (See Appendix A for sample CAG charter). In situations where communication becomes difficult and members doubt the sincerity of each other, the best solution is to openly discuss these concerns with the CAG membership. These discussions should be held in accordance with the operating procedures as outlined in the CAG charter.

2. How should a CAG resolve disputes?

Consult with the DTSC PPS supporting the CAG before a serious problem occurs. The first step should be to consult and follow the CAG's Charter and Operating Procedures. If a resolution cannot be reached, as an option, an independent facilitator may be utilized by the CAG to explore disputes and inter-personal communication issues within the group. A trained meeting facilitator can be a useful tool to help CAG members focus and prioritize their future goals and next steps in resolving conflict. DTSC does not have funding available to pay for an independent facilitator, but such resource may be available through the Responsible Party, Project Proponent or external stakeholder(s). Consult with the DTSC PPS assigned to the CAG for further information.

3. What provisions exist to ensure CAG meetings are free of harassment and discrimination?

DTSC is subject to the California Fair Employment and Housing Act which prohibits harassment of employees and requires employers to take all reasonable steps to prevent harassment from occurring. DTSC will adhere to the provisions of this law and will ensure that CAG meetings in which it participates adhere to fair, equitable treatment of all members and agency representatives, free of any form of harassment or discrimination. DTSC recognizes that heightened levels of public concern can become personalized towards DTSC staff or others. DTSC encourages all CAG participants to treat each other with respect, even when strong disagreements exist.

Information on the California Fair Employment and Housing Act can be found at the following Web site: http://www.dfeh.ca.gov. CAG members can also contact the DTSC PPS for further information.

CHAPTER 5 How Does a CAG Operate?

DTSC recommends that each CAG develop its own set of operating procedures based on the needs of the community, the CAG and the type of project that is the focus of the CAG's activities. A sample charter and operating procedures are provided in Appendix A.

1. What is a CAG's mission statement?

Ideally, a CAG's mission statement should detail the CAG's goals and describe its purpose. It also should provide a focus for the scope of discussions that will take place in order to help CAG members stay on track during meetings and focus on the goals of the environmental activities.

2. Why should a CAG develop operating procedures and charter?

CAGs are encouraged to develop operating procedures and a charter to guide CAG members and make the CAG an effective and functioning advisory group. Operating procedures establish rules and guidelines relating to goals and objectives, membership, participation, scope of environmental project review, training, roles and responsibilities, communication, and internal/external reporting requirements.

3. Is there a standard outline for developing operating procedures?

There is no formal standard for developing CAG operating procedures. Individual CAGs are encouraged to develop and negotiate their own project specific operating procedures during their formation.

4. How often should a CAG meet?

It is up to a CAG to decide how often it will meet. However, it is critical that DTSC staff be consulted to ensure that appropriate and focused discussions on cleanup activities take place, and that DTSC has available staff resources to participate in a CAG meeting before a meeting is scheduled. CAG members should decide on a meeting schedule when establishing operating procedures, and add or delete meetings as necessary. CAG members may decide to meet more often to review and provide input on specific technical documents and ensure that they are up-to-date on project/facility activities. There may be other times when CAG members determine that less frequent meetings are adequate. A CAG can meet without DTSC staff present.

5. Does a CAG receive funding to operate?

DTSC does not have funding available for the operation of a CAG. However, DTSC staff will provide technical support and attend meetings in order to further the CAG's mission.

If a CAG is located in an Environmental Justice area and is looking for assistance and support from DTSC, please refer to Chapter 7, page 17 for further information.

6. Do CAGs keep records of their activities?

DTSC suggests that the CAG charter and operating procedures outline the preferred level of record keeping. CAGs keep records of their activities for historic purposes and keep the community informed of their progress. If feasible, the CAG secretary will supply administrative record keeping support. At a minimum, DTSC advises that the CAG-Chair approve and provide meeting agenda items and supporting documents at least two weeks prior to a scheduled CAG meeting. The CAG secretary should arrange for recording and distribution of meeting notes to attendees via mail or e-mail. Sample record keeping procedures are provided in Appendix A. CAGs receiving federal or state grants may have specific record keeping requirements that will be specified by the grantor.

7. Does a CAG need a quorum of members to operate?

A CAG does not require a quorum to operate. Any member present at any given CAG meeting may have the authority to take an action, but cannot represent the views of CAG members that have not been consulted on an issue. A quorum of members is not necessary for a CAG whose main responsibility is to provide and share concerns with DTSC.

CHAPTER 6 When is a CAG's Work Complete?

A CAG's work is complete when there are no longer any specific site related environmental activities under DTSC's legal authority, or when the community is no longer interested. There is no formal process for when a CAG stops operating, but DTSC strongly recommends that procedures for disbanding a CAG be a part of a CAG's charter operating procedures.

1. What is an example that may lead a CAG to stop operating?

An example of a situation that may lead a CAG to stop operating may include, but is not limited to, the completion of environmental cleanup activities at a specific project under DTSC oversight. In addition, if CAG membership has dwindled to a minimum, and existing member(s) are not representative of the broader community's concerns and interests, such a situation may be grounds for adjournment until new members can be recruited.

2. Can a CAG continue to operate when all DTSC site specific environmental activities are complete?

Under certain circumstances, the CAG may wish to continue operating after DTSC environmental activities are complete at a project. Once a cleanup action is completed, DTSC may no longer support the CAG. The CAG can continue to function but without DTSC staff regularly attending meetings to discuss the project.

3. What do CAG members do if a CAG has to stop operating because of a lack of community interest, but DTSC environmental activities continue?

Community members interested in ongoing DTSC environmental activities should contact the DTSC project PPS in order to request information on community involvement activities that may take place in the future. Continued community/stakeholder feedback is important to the progress of ongoing DTSC environmental activities. Following the decision by CAG members to adjourn a CAG, the DTSC project PPS and project staff will continue to respond to community interest, and will continue to upload information on the DTSC EnviroStor Web site located at: http://www.envirostor.dtsc.ca.gov/public/

See Appendix G for more information about how to access DTSC's EnviroStor Web site.

4. Would DTSC consider adjourning a CAG?

DTSC does not have the legal authority to adjourn a CAG. However, DTSC does have the authority to end support to a CAG because: (1) the cleanup is complete; or (2) the CAG is not representative of the community; and (3) the CAG violates DTSC staff employment policies that relate to harassment and discrimination under the California Fair Employment and Housing Act, Part 2.8.

CHAPTER 7 How Does Environmental Justice Relate to CAGs?

DTSC recognizes that CAGs forming in communities where Environmental Justice (EJ) issues exist may need additional assistance to ensure the CAG is able to organize and function effectively. DTSC will assist CAGs in EJ communities in identifying additional resources which might support their efforts. This may include providing resources, as available, from DTSC staff, equipment, facilities, and other in-kind support.

1. What is DTSC's Environmental Justice Policy?

Please go to the following link on the DTSC Web site for the most recent information and policy regarding Environmental Justice Communities: http://www.dtsc.ca.gov/Get-Involved/env_justice_policies.cfm

2. How will DTSC work with CAGs in designated Environmental Justice areas?

CAG members can contact the DTSC PPS assigned to a specific CAG in order to discuss how DTSC will work with a CAG located in a designated EJ area.

Community Advisory Group (CAG)
Charter and Operating Procedures

I. NAME

This organization shall be known as the [name] Community Advisory Group (CAG). The CAG will serve as reviewers of any environmental response action(s) undertaken at [name of project] by the Department of Toxic Substances Control (DTSC) as outlined in Section 25358.7.1 of the California Health and Safety Code.

If you are viewing this handbook in Acrobat Reader, you may use the Select tool to copy desired text and paste it into another application.

II. PURPOSE

A. The CAG will provide an opportunity for the community affected by environmental response actions undertaken by DTSC at [name of project] to participate in the decision making process. This CAG is to help identify any community concerns and assist in their resolution.

B. The CAG will provide a direct line of communication between the local community and DTSC and other regulators involved in environmental oversight of [name of project]. CAG review of [name of project] environmental documents is an integral part of this communication link.

C. The CAG will enhance community awareness of DTSC response actions and other environmental issues affecting [name of project] and educate the community of these activities.

III. AUTHORITY

The basis and authority of this CAG are derived from the following law:

- Section 25358.7.1 of the California Health and Safety Code

IV. MEMBERSHIP AND MEMBER RESPONSIBILITIES

A. The membership of the CAG shall follow the guidelines set out in Section 25358.7.1 of the California Health and Safety Code as follows:
To the extent possible, the composition of each community group shall reflect the composition of the affected community and the diversity of interests of the community by including all of the following types of individuals on the community advisory group:
(1) Persons owning or residing on property located near the hazardous substances release site or in an adjacent community, or other persons who may be directly affected by the response action.
(2) Individuals from the local business community.
(3) Local political or government agency representatives.
(4) Local citizen, civic, environmental, or public interest group members residing in the community.

The following entities may participate in community advisory group meetings in order to provide information and technical expertise:
(1) The department or regional boards.
(2) Representatives of local environmental regulatory agencies.

(3) The potentially responsible parties or other persons who are conducting the response action.

B. Government regulators shall include representatives of the following agencies:
- California Department of Toxic Substances Control
- [list other agencies that will be involved with the CAG]

Community representatives shall be solicited from the following areas, one of which shall serve as CAG-Chair:
- [list geographical neighborhoods and institutions/organizations with an interest/close proximately to the project or facility]
- [list any other interested parties]

C. Community membership in the CAG shall be permanent. Every year at the first CAG meeting, community members shall affirm their CAG membership by signing a roster. If the community member is not present at the meeting, the member may telephone or write the CAG-Chair to affirm membership. If the community member does not affirm membership for two consecutive years, the membership may expire. A community member may resign from the CAG at any time by submitting a letter to the CAG-Chair. A 2/3-majority vote of the community members on the membership list is required to remove a community member from the CAG.

The entire CAG shall review the list of members at the first meeting each year. Any member may recommend the solicitation of new members from the community. If no changes are needed, the CAG shall vote to accept the membership list as it is.

D. Community members shall serve on the CAG in a voluntary capacity with any travel or incidental expenses being paid by the member or the member's organization. If a community member is unable to attend a CAG meeting, the member may designate another person from the community to attend the meeting in their place.

The CAG encourages all community members to review and comment on documents relating to the [name of project] environmental issues presented to the CAG and the public.

E. The CAG encourages all community members to report to the organized groups to which the members may belong to or represent, and serve as a conduit for information to and from the community about the [name of project] environmental issues.

V. CAG STRUCTURE AND OPERATING PROCEDURES

A. A community member, agency representative, or other stakeholder shall chair the CAG (Please note, as described in Section 25358.7.1 of the California Health and Safety Code, DTSC staff members cannot become fully functioning member of the CAG, or take the position of CAG-Chair). The chairperson shall preside at all CAG meetings. If the CAG-Chair is unable to attend a meeting, they may designate an alternate. The CAG-Chair will be elected annually on the anniversary of the date of this charter by a majority vote of the CAG members present. The newly elected chairperson shall preside at the next regular CAG meeting. The CAG-Chair shall appoint a CAG secretary and subcommittees as appropriate to enhance the function of the CAG and develop community membership.

B. The CAG shall meet quarterly, or the CAG-Chair may request additional meetings if required. The CAG-Chair and secretary will approve agenda items for each meeting. Community members may submit agenda items to the CAG-Chair two weeks prior to the meeting. The CAG-Chair shall provide written notification (mail or e-mail) to all CAG members (including DTSC) of the upcoming meeting, its agenda and any supporting documents at least two weeks prior to the scheduled meeting.

If required, the CAG-Chair and secretary shall arrange for recording and distributing of meeting notes, including a list of attendees. Meeting notes should be distributed prior to the next meeting, and be made available for public review. Please note that since DTSC has no control over the content or accuracy of CAG meeting notes, DTSC will not post meeting notes on the DTSC EnviroStor Web site. However, a CAG can set up their own Web site and post meeting notes if they choose.

[Project] documents and CAG meeting notes will be made available at the information repositories located at:

[Name of Location]
[Street address]
[City], CA [Zip]
[Phone number] [Hours of operation]
And/or CAG's website

C. Community members shall vote to elect new community members and the CAG-Chair. A quorum for such selections shall be a simple majority of the community members on the membership list. NOTE: If a CAG wants to use voting as a means of governance or on decisions about what advice to give to DTSC, that decision will be decided by the CAG not DTSC.

D. The CAG-Chair shall appoint a Document Review Committee. This committee shall review and comment on specific project environmental documents. Community CAG members may submit written comments to the CAG-Chair individually or through the Document Review Committee. The Document Review Committee will consolidate any comments received from CAG community members and provide a written review to the CAG-Chair. The CAG-Chair will ensure that a written response that addresses each comment is provided to all CAG reviewers prior to the final release of the documents.

VI. AMENDMENT OF THE CHARTER AND TERMINATION OF THE CAG.

This charter maybe amended by a 2/3-majority vote of the members present. All amendments must be in writing and placed on the meeting agenda one meeting prior to voting on the amendment.

The charter may be dissolved when 2/3 of the members agree in writing to terminate the CAG. All motions to terminate the CAG must be in writing and placed on the meeting agenda two meetings prior to voting on termination.

VII. CAG MEMBERS SIGNATURES

(Members signature and date)

Linda S. Adams
Secretary for
Environmental Protection

Department of Toxic Substances Control

Maziar Movassaghi
Acting Director
5796 Corporate Avenue,
Cypress, California 90630

Arnold Schwarzenegger
Governor

Members Needed for Community Advisory Group

[name of site]
[location], California

Members of the [name of community] want to establish a Community Advisory Group (CAG) for the [site name] in [location], CA. The Department of Toxic Substances Control (DTSC) is assisting the community in forming the CAG after receiving a petition signed by more than 50 people. The Site is located at [location address].

DTSC's mission is the protection of public health and the environment. A vital component of accomplishing this mission is providing meaningful opportunities for community members to have input into our decisions, of which the CAG will be an important part.

The purpose of the CAG is to provide regular and timely opportunities for the [city] community to learn about work at the site and provide input on DTSC's proposals. CAG members serve in voluntary positions and act as liaisons to the community. The CAG members will reflect the composition, diversity and interests of the local community. CAG community members can expect to devote a minimum of 12 days per year participating in CAG activities.

CAG meetings will be open to the public, and community members are encouraged to apply to become a CAG member or to attend meetings to learn more about the [name] site. If you are interested in applying for membership on the CAG, please contact [PPS name] for an application:

[Name], Public Participation Specialist
Department of Toxic Substances Control
[Office address]
[Phone number]
[Email address]

All applications must be received by: _____. A selection panel will review the applications and approve people as members of the CAG based on the applications. The selection panel members will include representatives from DTSC, the petitioner, other agencies and [number] of representatives from the [City] community.

If you would like additional information about the Site, please visit our Web site at [Web address]
If you would like more information about Community Advisory Groups, visit our Web site at [Web address]

Linda S. Adams
Secretary for
Environmental Protection

Department of Toxic Substances Control

Maziar Movassaghi
Acting Director
5796 Corporate Avenue,
Cypress, California 90630

Arnold Schwarzenegger
Governor

Application for Membership on the Community Advisory Group

[Site Name]

Members of the [name of the community] want to establish a Community Advisory Group (CAG) for the [site name and location]. The Department of Toxic Substances Control (DTSC) is assisting the community in forming a CAG after receiving a petition signed by 50 people.

Conditions for Membership:

Members serving on a Community Advisory Group (CAG) are volunteers who attend CAG meetings and participate in the duties of a CAG. Duties and responsibilities will include listening to presentations from technical and other experts, reviewing and commenting on technical documents and other activities associated with the cleanup of the [site name]. Members will be expected to be available to facilitate the exchange of information and/or concerns between the community and the CAG. CAG members can expect to devote a minimum of 12 days per year to participate in CAG activities.

CAG membership must be reflective of the diversity and interests of the community surrounding the [site name].

Please answer the following questions. If you need additional space to write your answers, please use the back of the application or attach additional pages as necessary.

Name: _____

Address: _____

_____

Phone: (___) _____ (___) _____ _____
Daytime Evening E-mail

CONTINUED NEXT PAGE

1. Briefly state why you would like to participate in the CAG at the Site.

_____

_____

_____

_____

2. Describe a recent experience where you worked as a member of a diverse group with common goals.

_____

_____

_____

_____

3. One of the responsibilities of the CAG is to communicate information to others in the community. As a member of the CAG, how would you accomplish this goal?

_____

_____

_____

_____

4. The CAG will be composed of representatives from the following list. Please indicate the category that you feel you best represent and provide a description:

   ☐ Owner or resident of property located near the Site or in an adjacent community._____

   _____

   _____

   _____

   ☐ Local business community._____

   _____

   _____

   _____

   ☐ Local political or government agency. _____

   _____

   _____

   _____

☐ Member of a local citizen, civic, environmental, or public interest group residing in County. _____

_____

_____

_____

☐ Other. (Please explain) _____

_____

_____

_____

5. Do you participate in other local groups where people are interested in the Site?

_____

_____

_____

_____

_____

6. Please feel free to provide DTSC with your comments on the CAG or other issues related to the Site.

_____

_____

_____

_____

_____

_____

_____

_____

Please return your completed application to:
[Name of PPS assigned to project], Department of Toxic Substances Control
[Office address]

For additional information or questions regarding the CAG or the Site, please contact [name of PPS] at [phone number] or visit DTSC's web site at: [web address]

Department of Toxic Substances Control

Linda S. Adams
Secretary for
Environmental Protection

Maziar Movassaghi
Acting Director
5796 Corporate Avenue,
Cypress, California 90630

Arnold Schwarzenegger
Governor

Dear [name]:

Congratulations, you have been selected to voluntarily serve on the Community Advisory Group (CAG) for the [site name].

Last month, the Department of Toxic Substances Control (DT SC) received [X] CAG applications for consideration to serve on the CAG. The CAG applications were reviewed by a six member selection committee consisting of representatives from the greater [name] community. The selection committee consisted of the following individuals:

- [Name and title of selection committee member]
- [Name and title of selection committee member]
- [Name and title of selection committee member]
- [Name and title of selection committee member]
- [Name of Public Participation Supervisor, DTSC]
- [Name of Public Participation Specialist, DTSC]

The selection committee unanimously appointed the following individuals to the CAG:

- [List names of approved CAG members]

In addition, the following individuals were selected by a majority vote [Use only if applicable].

- [List names of approved CAG members]

[Name], DTSC Public Participation Specialist will contact you soon with the date and time of the first meeting. [or place meeting place, date and time here]

The Department of Toxic Substances Control is pleased to have worked with the [Primary CAG member's name] and the selection committee to establish this Community Advisory Group for [site name]. We look forward to working with each of you.

Sincerely,

[name]
Public Participation Specialist
[address]

Department of Toxic Substances Control

Linda S. Adams
Secretary for
Environmental Protection

Maziar Movassaghi
Acting Director
5796 Corporate Avenue,
Cypress, California 90630

Arnold Schwarzenegger
Governor

Dear (name):

Thank you for applying to serve on the Community Advisory Group for the [site name]. Unfortunately, you were not selected to serve on the advisory group.

Last month, DTSC received [X] Community Advisory Group applications for consideration to serve on the Community Advisory Group. The applications were reviewed by a six member selection committee consisting of representatives from the [name] community. The selection committee consisted of the following individuals:

- [name and title of selection committee member]
- [name and title of selection committee member]
- [name and title of selection committee member]
- [name and title of selection committee member]
- [name of Public Participation Supervisor, DTSC]
- [name of Public Participation Specialist, DTSC]

While not everyone can be a member of the Community Advisory Group, every citizen has an important role to play and can participate in the group's activities. All Community Advisory Group meetings are public meetings and DTSC encourages you to attend as often as you would like to do so. Community participation and representation of all viewpoints are essential to the success of the Community Advisory Group.

Thank you for your interest in serving on the Community Advisory Group. We encourage your continued interest and involvement in the [site name].

If you have questions regarding the selection process or the [site name], please do not hesitate to contact me at [phone number] or (e-mail address).

Sincerely,

[name]
Public Participation Specialist
[address]

Linda S. Adams
Secretary for
Environmental Protection

Department of Toxic Substances Control

Maziar Movassaghi
Acting Director
5796 Corporate Avenue,
Cypress, California 90630

Arnold Schwarzenegger
Governor

Available CAG Guidance and Support from DTSC

DTSC staff members are available to assist a newly formed CAG by providing initial training to enable the group to understand and perform their new duties as CAG members. Do you want DTSC to assist you in this training?

_____

Do you want the training during a public meeting or would you prefer to have it away from a public forum in a closed working session?

_____

_____

What dates and times are convenient for you if we provide the training? Please list several for the month of (name of the upcoming month).

_____

_____

DTSC advises that each CAG develop a mission statement describing the CAG's specific purpose, scope, goals, and objectives. Each CAG should also develop a set of procedures to guide day-to-day operations. These procedures should address such topics as how to fill membership vacancies; how often to hold meetings; how to select the chair, co-chair, secretary etc.; and what process will be used for reviewing and providing advice on cleanup activities and documents. Some groups form sub-committees to work on the operating instructions.

Do you want a sub-committee to work on the operating instructions and mission statement?

_____

_____

Do you want the full CAG to work on the operating instructions and mission statement?

_____

_____

We can provide examples of operating instructions, answer questions and provide examples from other groups as you work through the process of creating your own operating instructions. Do you want DTSC to assist you in creating your operating instructions?

What dates and times are convenient for you if we assist you in creating the operating instructions?

CAG meetings are open to the public. The meetings should be announced publicly through display ads in the newspaper or flyers/post cards mailed to the mailing list, etc. The meeting should be announced well enough in advance to encourage maximum participation of CAG and community members. CAG members should determine the frequency and location of CAG meetings. A basic meeting format might include an update on site status by the project's technical staff; discussion of current issues; a question/answer session that includes audience participation; review of "action items," and discussion of the next meeting's agenda.

Initially how often do you want to meet? Do you want to meet once a month, twice a month or every week?

Until the CAG has established their operating instructions:

Do you want help from DTSC to publicize the CAG meetings?

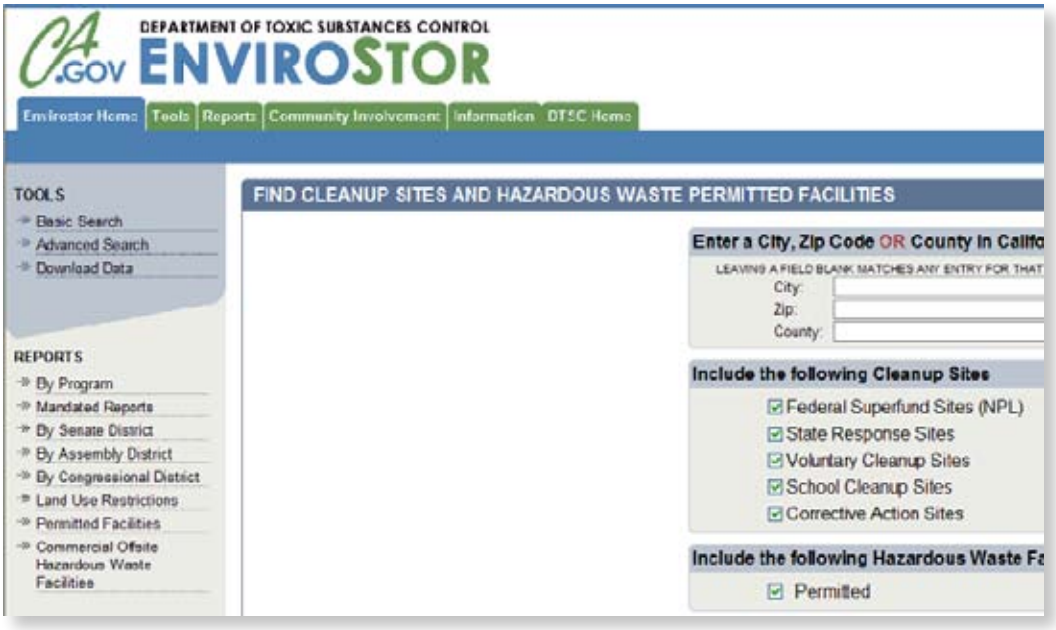
Do you want help from DTSC to create the agendas?

Do you want help from DTSC to facilitate the CAG meetings?

The support for arranging and documenting meetings, preparing and distributing meeting notices and agendas, duplicating site-related documents for CAG review, maintaining CAG mailing/distribution lists, and providing translation and meeting facilitation services are all administrative tasks that need to be performed to allow the CAG to function efficiently. If meeting facilitation is needed, it is preferable to use someone from the community with facilitation experience or a professional meeting facilitator. Several packets will be provided to you at the CAG meeting from individuals with these qualifications. Do you want someone to assist you in the first year with facilitation of your CAG meetings?

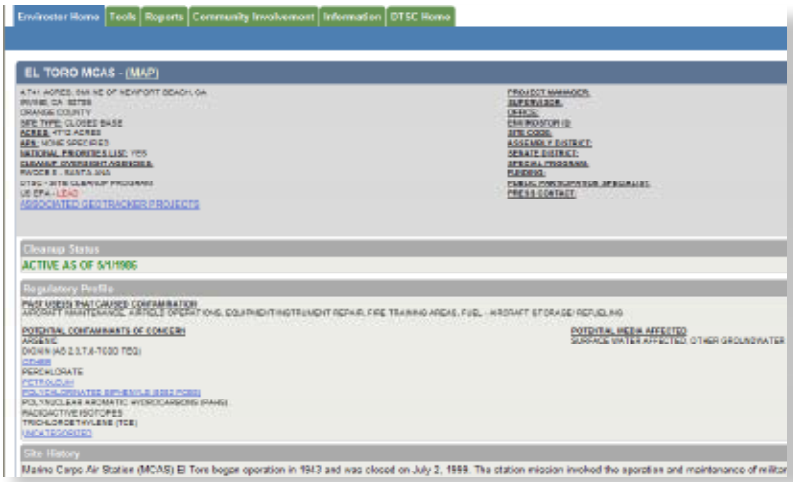
---

(1) Start on EnviroStor Website www.envirostor.dtsc.ca.gov/public. Under "FIND CLEANUP SITES AND HAZARDOUS WASTE PERMITTED FACILITIES" enter the City, Zip or County of Project Site. Scroll down and click on the Get Report button.

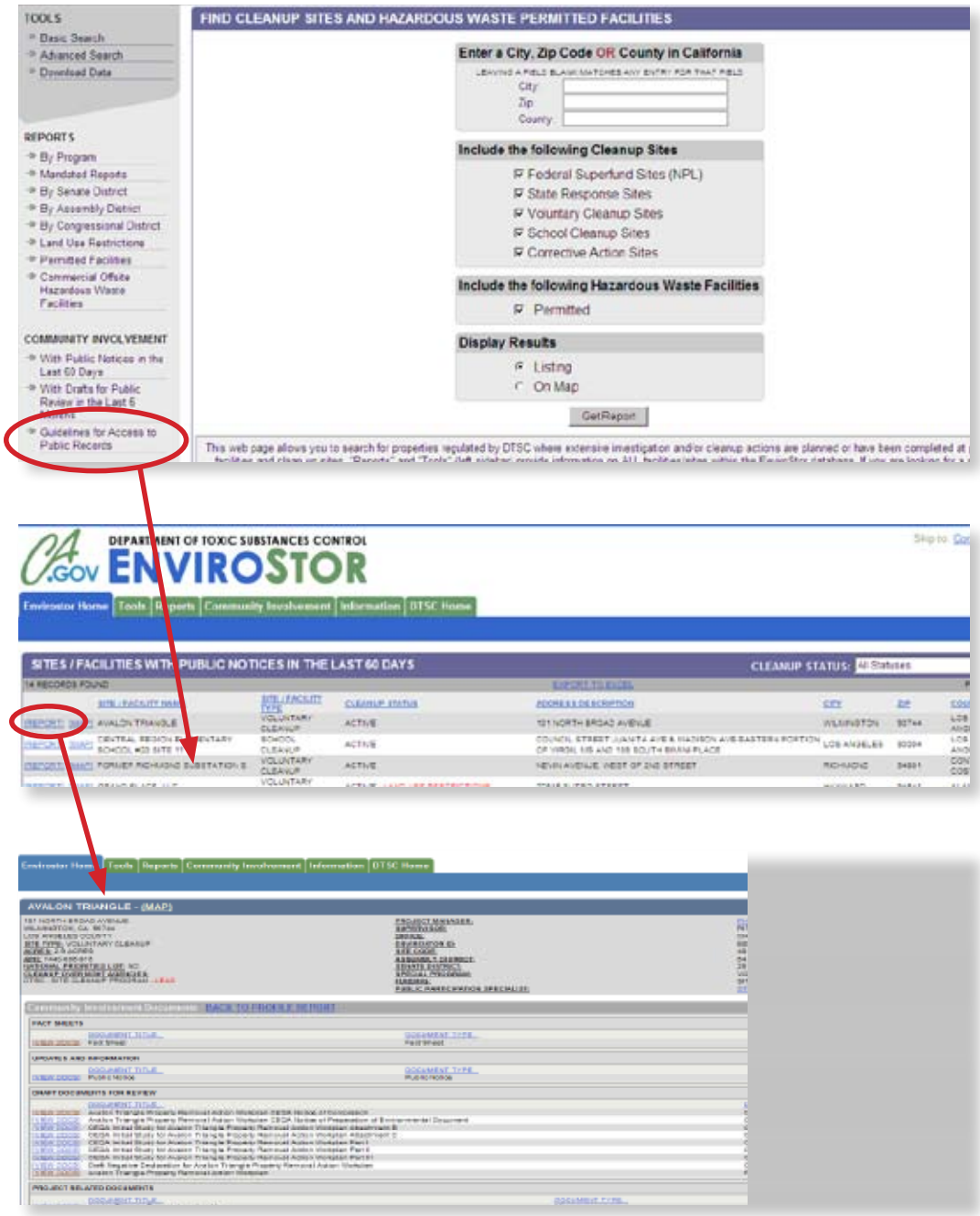


(2) Scroll down and review list of project search results and click on REPORT link next to site or facility of interest.

(3) Project Information. Review page for Project Manager and Public Participation Specialist contact information, project map, profile, site history, status, schedule, completed and future activities, technical and public documents. Click on the Community Involvement button on the right side for more information.



(4) Community Involvement. This page contains Public Notice, Public Participation Plan, Site Management Plan, and draft documents out for public review and comment.

Community involvement reports links:

(5) The report links for "Public Notices in the Last 60 Days" and "Drafts for Public Review in the Last 6 Months" provide a listing of sites with recent Public Notices or Draft Documents available for public review and commenting.