

## **Hazardous Materials Commission**

### **Draft Minutes**

Planning and Policy Development Committee

January 18, 2017

#### **Members and Alternates:**

**Present:** Don Bristol, Lara DeLaney, Frank Gordon, Jim Payne, George Smith, Jack Bean (alternate), Peter Dragovich (alternate)

**Absent:** Matt Buell (represented by alternate) Usha Vedagiri (represented by Alternate)

**Members of the Public:** Ellen Dempsey, Hazardous Materials Programs

#### **1. Call to order, introductions and announcements**

Commissioner Payne called the meeting to order at 4:05.

#### **Announcements:**

Michael Kent announced:

- The Board of Supervisors passed the Pharmaceutical Ordinance on December 20<sup>th</sup> and it went into effect immediately.
- The Board's Internal Operations Committee will meet on February 13<sup>th</sup> to consider appointments to the Commission.

Commissioner Bean announced that the next Industrial Association forum will be on February 22nd at 11:30 at Zio Fraedo's in Pleasant Hill. The topic will be regulatory enforcement and compliance, with representatives from the Air District, DTSC and the Water Board there to discuss their programs.

Commissioner Smith announced that Rich Seithel and Gary Craft recently met with a brownfield remediation company to discuss the Northern Waterfront Economic Development Initiative.

#### **2. Public Comments: None**

#### **3. Approval of Minutes:**

The minutes from the October 19, 2016 meeting were moved by Commissioner Smith, seconded by Commissioner Gordon and approved 4-0-1 with Commissioner Dragovich abstaining.

#### **4. Old Business:**

##### **a) Discuss and develop recommendations concerning the draft Adaptation Responses developed by the BCDC Adapting to Rising Tides project related to hazardous materials.**

The committee continued the discussion on this issue with Ellen Dempsey of the Hazardous Materials Programs who had been participating in the process and had previously presented her recommendation to the committee. She thought that the businesses need education about the issue, and that the first step should be to identify the businesses that might be affected by sea level rise. She provided the committee with a handout listing her recommendations (attached)

Commissioner Gordon said that the key people that need to promote collaboration are Supervisors Gioia and Glover. He said he was also surprised that the study didn't extend into Antioch and Pittsburg.

Commissioner Gordon also asked if the Industrial Safety Ordinance Land Use scoring system take into account flooding. Michael Kent said that it did not.

Commissioner DeLaney suggested that in the time between identifying affected businesses and developing incentives for them, that these businesses should be surveyed to find out what they have been doing in response to potential impacts from sea level rise.

Commissioner Bristol emphasized there needs to be verification that the models are reflecting reality and that the businesses really at risk are identified.

Commissioner Bean cautioned that the ramifications and unintended consequences of any potential rule to address this problem be considered. For example, what impact would such a rule have on underground storage tanks? What alternative method would you use to store flammable materials in the impacted area?

Commissioner DeLaney thought the issue of how Measure AA funds could factor into implementation of needed infrastructure development, and this issue needs to be looked at more closely.

Commissioner Smith observed that education of businesses could happen relatively quickly, but that implementation of any programs won't be able to go too far without leadership coming from somewhere.

Commissioner Smith made a motion, seconded by Commissioner Gordon, that the Commission recommend to the Board of Supervisors that they should 1) define and identify the entities determined to be at risk, survey these entities to determine what they already know about the risks they face from sea level rise and flooding, and what steps they have taken to address these risks, and develop and disseminate targeted educational materials and guidance on the best management practices for addressing these risks; and 2) take a leadership role in forming and participating in a public-private shoreline working group tasked with developing a plan to fund

and implement integrated shoreline solutions to reduce flood risk, and to ensure that entities that handle hazardous materials and generate hazardous waste are protected. The motion passed 7-0.

**5. New Business**

**a) Discuss implementation of committee assignments from Commission retreat**

?

**b) Election of Committee Chair and Vice Chair**

The committee voted to elect Commissioner Payne as Chair and Commissioner Smith as Vice Chair by a vote of 7-0.

**6. Items of Interest: None**

**7. Plan Next Agenda: None**

**8. Adjournment** – The meeting was adjourned at 5:30.