

Hazardous Materials Commission

Draft Minutes

Planning and Policy Development Committee

February 18, 2015

Members and Alternates:

Present:, Wade Harper (alternate), Don Bristol, Ralph Sattler, George Smith, Tim Bancroft (alternate), Jack Bean (alternate),

Absent: Matt Buell (represented by alternate), Frank Gordon (represented by alternate), Lara DeLaney (represented by alternate), Jim Payne, Steve Linsley

Members of the Public: Gary Craft

1. Call to order, introductions and announcements

Commissioner Smith called the meeting to order at 4:05

Announcements:

Michael Kent announced that the State Refinery Safety Taskforce will be holding a public workshop on issues of interest on March 26 in Crockett.

Commissioner Smith announced that WSPA's next lunchtime meeting will be on February 26 at the Contra Costa Country Club and will feature County Supervisor Anderson.

2. Public Comments: None

3. Approval of Minutes: The minutes from the January 21, 2015 meeting were moved by Commissioner Bean, seconded by Commissioner Bancroft and approved 3-0-1 with Commissioners Bristol, Smith and Bancroft voting aye, and Commissioner Harper abstaining.

4. Old Business:

a) Update on Crude by rail issue

Commissioner Bean said that there is a new bill in committee, AB 102 that would fix problems found in AB 380 that was passed last year to provide funding to local governments for emergency response training. Staff was asked to obtain this bill for the committee.

Several more train derailments and resulting fires of crude oil occurred in Canada and West Virginia this month. These incidents involved tank cars that were recently built to the voluntary 1232 standards developed by the industry to improve upon the design of the DOT-111 rail cars currently in use.

5. New Business:

a) Request from the Alamo Improvement Association to sponsor a public workshop on Pipeline Safety.

Roger Smith, President of the Alamo Improvement Association, sent a letter to the Commission on February 17, 2015 requesting that the Commission co-sponsor several community workshops on pipeline safety. The workshops are being carried out with funding obtained via a grant from the Federal Department of Transportation. The non-profit organization, Pipeline Safety Trust, was hired to develop and present the workshops, and prepare a report after the workshops. They will be held in Alamo and Martinez in early summer. His organization's interest in this issue came after the Walnut Creek pipeline fire and due to their proximity to the Kinder Morgan pipeline running parallel to the Iron Horse trail.

The committee discussed this request and recommend that the full Commission agree to this request.

b) Discussion on how to encourage Brownfield reuse

Ali Endress, City of Pittsburg Planner, attend to discuss efforts she and planners from other East County Cities have been undertaken related to industrial land use planning. They have been following up on one of the recommendations of the East Bay Land Use Committee's strategy paper for the Northern Shoreline Revitalization Effort to develop a common land use ordinance for the Northern Shoreline. While they felt this would not be possible given the need for each jurisdiction to retain its legal authority, they did feel they could put common standards into each jurisdiction's laws.

Their goal is to develop standards that would help facilitate quicker and easier permitting of industries with minimal environmental impacts. They were interested in developing performance standards rather than having a land use permitting process because it provides more certainty. She has found that many business applications end up requiring land use permits in Pittsburg for relatively routine things. An example would be a facility that wanted to locate in a local jurisdiction, but needed to have an aboveground tank of flammable chemicals. Instead of requiring them to apply for a land use permit, which would mean they would have to go through the CEQA process, the jurisdiction would have performance standards for that use that the applicant would have to meet. The concern with this approach is whether they can put together a list of all the conditions for all industries covering all of the chemicals that might be present.

Commissioner Bristol commented that he saw this type of effort worthwhile, but was skeptical because that it could be done because there are too many groups that are trying to block progress.

Commissioner Bean said that it makes sense that businesses without major impacts should be able to go through the permitting process equally in all the jurisdictions in East County.

Commissioner Sattler thought that the details of individual projects would need to be looked at closely to see how a system like this would still protect the public.

Commissioner Harper thought this was an idea worth looking at.

Commissioner Bancroft said that he has encounter situations where cities just say no to certain specific uses when that might not be necessary, but that zoning performance requirements are very fuzzy.

The committee discussed with Ms. Endress the County's Industrial Land Use Scoring system that seems to be the type of system they are looking for and she seemed to think that this was worth looking at. The committee also asked her if their workgroup had looked at ways to develop performance standards for site cleanup. She said they had not, but this was also worth looking into.

In the end the committee agreed that this approach was work looking at as long as it still protects the public.

6. Items of Interest: None

7. Plan Next Agenda – continue tracking the development of the crude by rail issue and the Northern Waterfront Initiative process

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