

## **Hazardous Materials Commission**

### **Draft Minutes**

Planning and Policy Development Committee

October 21, 2015

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

**Present:** Don Bristol, Matt Buell, Jim Payne,

**Absent:** Lara DeLaney, Frank Gordon, Steve Linsley. George Smith,

**Members of the Public:** Roger Smith, Alamo Improvement Association; Carrie Ricci, Contra Costa Public Works; Telma Moreira, Contra Costa Department of Conservation and Development

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

Commissioner Payne called the meeting to order at 4:10

**Announcements:** None

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

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

The minutes from the July 15, 2015 meeting were moved by Commissioner Payne, seconded by Commissioner Buell and approved 1-0 -2 with Commissioners Buell and Bristol abstaining.

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

- a) **Discuss proposed changes to the Industrial Safety Ordinance being considered by the Industrial Safety Ordinance Revision Working Group**

The committee did not discuss this item.

#### **5. New Business**

- a) **Consider for referral to the Board of Supervisors the recommendations contained in the Pipeline Safety Trust September, 2015 report on pipeline safety in Contra Costa County.**

The committee began its discussion by deciding to focus on the recommendation in the report directed at County Departments or the Board of Supervisors.

The first two recommendations the committee discussed were to the Department of Conservation and Development (DCD).

- 1) Consider adding goals and policies regarding pipelines to the General Plan , and amending Contra Costa County Zoning Code 82.2.010 so that all gas and hazardous liquid transmission pipelines would be subject to land use regulations. Consider additional ordinances (s) pertaining to zoning and land use that are proposed for construction, replacement, modification, or abandonment.

Telma Moreira from DCD said that the zoning code 82.2.010 actually does apply to pipelines, but it is confusing and needs to be fixed. The main consideration is if a pipeline is in a refinery or not. If it is in a refinery, and the refinery is covered by a land use permit, then the pipeline is exempt from doing a CEQA review. But if the pipeline is outside of a refinery then it is considered a project and is scored under the land use provisions of the Industrial Safety Ordinance. And even if project doesn't require a land use permit it may require CEQA review for things like a tree permit or grading permit.

- 2) Review all development applications for opportunities to improve existing ingress/egress where currently limited, and where possible, include conditions on approvals to improve connectivity and avoid exacerbation of access problems.

Ms. Moreira said that this is not necessarily something they are doing now, and could be valuable to do.

The next set of recommendations the committee looked at were directed at Public Works.

- 1) Plan emergency evacuation ingress/egress for areas where a single pipeline crossing road is the only access for home and facilities with the goal of creating public accessibility across these "dead-end" neighborhoods.

Roger Smith from the Alamo Improvement Association gave a good example of how this is being addressed in a neighborhood of Alamo.

Carrie Ricci from Public Works said that typically Public Works doesn't do emergency planning, this is probably the role of the Office of Emergency Services (OES) in the Sheriff's Department and would probably need coordination between these two departments. Roger Smith said he felt it could also be addressed through the land use permit of proposed new developments.

- 2) Ensure the county has completed and accurate records of corridor and right of way locations. Continue to coordinate with Kinder Morgan and other utilities on resolution of encroachments into pipeline right of way.

Ms. Richie said that Public Works already does have accurate records of pipelines along corridors, and they have this information for right of ways for specific projects. The State Fire

Marshal and the Public Utilities Commission has specific information on other pipelines in the County for when it is needed.

The committee then looked at the recommendations to the Board of Supervisors

- 1) Ensure the single staff point -of contact for citizens has technical training on safety concerns and support.

Ms. Ricci said she relies on the State Fire Marshal for technical issues, but feels it has been an important issue.

- 2) Request appropriate staff conduct an analysis of all congregate facilities located in close proximity to transmission pipelines; develop resources for emergency planning.

Ms. Ricci thought this should be a function of OES.

- 3) Consider adding goals and policies regarding pipelines to the general plan and zoning code.

This discussion was addressed with the 1<sup>st</sup> recommendation of DCD.

- 4) Adopt clear policies and deterrents regarding preventing encroachment.

Ms. Ricci said they are currently walking the corridors to make sure there is not encroachment. She thought that maybe they could send annual letters to residents reminding them not to encroach.

- 5) Work in coordination with pipeline operators to develop a technical advisory body (similar to Santa Barbara County) that can review the integrity management plans and other technical assessments of the pipelines.

Nobody had knowledge of the Santa Barbara process, but several commissioners questioned how a TAC could get pipeline operators to change their practices even if they found concerns.

The committee directed staff to find out more information about how congregate facilities incorporate pipeline issues into their emergency planning efforts and the Santa Barbara process for the next meeting.

## **6. Items of Interest: None**

## **7. Plan Next Agenda**

Continue discussion of recommendations

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