

## **Hazardous Materials Commission**

### **Draft Minutes**

Planning and Policy Development Committee

February 17, 2016

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

**Present:** Matt Buell, Frank Gordon, Steve Linsley, George Smith, Tim Bancroft (alternate), Jack Bean (alternate), Tracy Scott (alternate)

**Absent:** Don Bristol, Lara DeLaney, Jim Payne, (represented by alternate)

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

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

Commissioner Smith called the meeting to order at 4:00

#### **Announcements:**

Michael Kent announced;

- Henry Clark will be receiving a proclamation from the Board of Supervisors for his service to the Hazardous Materials Commission on March 1, 2016
- The next Commission meeting with a Supervisor will be on March 4<sup>th</sup> with Supervisor Andersen.

Commissioner Bean announced that the Industrial Association next luncheon meeting is February 25 at 11:30 at Zio Fraedo's in Pleasant Hill. The topic will be new state legislation.

Commissioner Gordon announced that the Contra Costa Women's Commission was electing Diane Burgess from the City of Oakley to the Women's Hall of Fame for her work on environmental issues at the Crown Plaza Hotel on March 24<sup>th</sup> at 6:30.

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

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

The minutes from the January 20, 2016 meeting were moved by Commissioner Gordon, seconded by Commissioner Bean and approved 4-0-1 with Commissioners Scott abstaining.

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

##### **a) Election of Committee Chair**

This nomination was postponed because the current committee chair was not in attendance.

**b) Review Pipeline Safety Trust recommendation concerning amending the County's Zoning Code and General Plan to address exemptions from land use regulations.**

The committee continued their discussion of the recommendation in the Pipeline Safety Trust report that read:

*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 the Department of Conservation and Development said that she didn't think the purpose of the code was to exempt all pipelines, especially hazardous materials pipelines, and noted that pipelines are covered by the land use portion of the County's Industrial Safety Ordinance (ISO). They are currently amending this portion of the County's zoning code for other reasons, and so in response to question raised by the Pipeline Safety Trust report are considering new language that would clarify that pipelines are covered by the ISO in Chapter 84-63. They expect this language to go to the Board of Supervisors in April. She said that while CEQA does offer a few exemptions for pipelines for having to go through environmental review, the County always has the option not to give these exemptions.

Carrie Ricci from Public Works added that the new franchise agreement with pipeline operators granted easements only applies to roadway right of ways for new construction, abandonment and maintenance, and not to pipelines along railroads. For existing pipelines there is an abandonment process, but pipeline operators usually don't completely abandon unused pipelines so they can keep the rights to reuse them in the future.

Ms. Moreria added that for the General Plan there only broad statements in the Safety Element about pipeline safety. The General Plan is due for review in 2020 and perhaps the Commission could make specific suggestions about pipeline safety to include during that process.

Commissioner Gordon made a motion to support the draft language Ms. Moreira described referencing Chapter 84-63 in the zoning code. Commissioner Linsley seconded the motion and the motion passed 5-0.

**5. New Business**

**a) Discussion of Committee Activities for the Year**

Commissioner Linsley wanted the committee to discuss the issue of the impacts of coal dust coming from coal trains travelling in and through the County

The committee agreed they would continue to participate in the review of the proposed new amendments to the ISO.

The committee also agreed that the three upcoming speakers on cybersecurity , sea level rise and Air District regulations should produce enough interesting issues for them to work of for a while.

**6. Items of Interest: None**

**7. Plan Next Agenda** None planned

**8. Adjournment** – The meeting was adjourned at 5:37.