Hazardous Materials Commission

Draft Minutes
Operations Committee

February 10, 2017

Members and Alternates

Present: Rick Alcaraz, Fred Glueck Leslie Stewart, Steve Linsley,
Absent: Ralph Sattler, Mark Ross
Staff: Michael Kent
Members of the Public: Rita Xavier, Rich Seithel, DCD

1) Call to order, announcements: Commissioner Stewart called the meeting to order at 10:00.

Michael Kent announced:
- He will miss the March 23rd Commission meeting to attend a California Department of Public Health, Site Assessment section’s stakeholder meeting. He will be providing examples of site cleanup cases near schools in Contra Costa County.
- The State Board of Education is reviewing their regulations pertaining to the siting of new schools. He will attend a meeting on February 14th to learn more about this.
- A meeting with new County Supervisor Diane Burgis has been set for March 9th at 3:15 in her Brentwood office.

2) Approval of Minutes:

The minutes for the January 13, 2017 meeting were moved by Commissioner Alcaraz, seconded by Commissioner Glueck and approved 3-0-1 with Commissioner Glueck abstaining.

3) Public Comments: None

4) Old Business

a) Update on the Pharmaceutical Disposal Ordinance

The next step in implementing the ordinance that was passed on December 20, 2016 is to notify wholesellers of pharmaceuticals that they must submit a list of the drugs and their manufactures sold in the County. They have two months to do this.
5) New Business

a) Elect committee chair and vice chair

Commissioner Glueck nominated Commissioner Stewart for chairperson. Commissioner Alcaraz seconded the motion and the motion passed 4-0.

Commissioner Alcaraz nominated Commissioner Glueck for vice chair. Commissioner Linsley seconded the nomination and the motion passed 4 – 0.

b) Update on Cybersecurity Workshop

Deron Mclroy from DHS has suggested 6 dates in mid-June for the workshop. None of the committee members could identify a potential conflict for any of these dates. Michael Kent said he will be working with Tony Semenza of CAER to secure the Shell Clubhouse for one of these dates.

The committee suggested that the flyer that is developed for the workshop contain examples of the types of vulnerabilities that businesses face from cyber-threats.

c) Continue Discussion of Brownfield redevelopment

Rich Seithel, lead staff for the Northern Waterfront Economic Development Initiative, attended to address the development of brownfields within the Initiative. He said that Brownfields are a very important part of the Initiative. They have identified several brownfields on the waterfront for immediate cleanup and reuse, the Gaylords and Dupont sites. They present both a challenge and an opportunity. They want to be careful about giving up industrial land because once a parcel is converted to another use it is lost for industrial use.

They approach brownfield development as finding the best use for a site. Determining this is part of a larger question which is: what is the best use for all properties. They are not interested in heavy polluting industries. They have been working with EPA to assess sites and are interested in getting grants to do site assessments. For example, the Dupont site has been purchased by a developer to create an industrial park, and they have been working with the state to get funding to develop the infrastructure.

Commissioner Glueck asked if for a given site, can the most contaminated portions be identified and carved out to be set aside with just the rest of the property being developed? Are there rules that allow the state to approve use of clean areas of a site, or near-by sites more quickly than it takes to clean up a whole site?

Mr. Seithel responded that it depends on the end use for the property. The former Gaylord site is using some of the site to bring cars in from overseas, which is still an industrial use. Also, the Dupont site was cleaned up in phases for future industrial use. But change the zoning for a site is
a more involved process and can take more time. These sort of considerations need to be taken into account in doing site assessments.

Commissioner Stewart added that in the past if there was a responsible party for a site and they needed money to fund site clean-up, they were allowed to sell off clean portions of the site to pay for the clean-up of the remaining contaminated portions of the site. On the other hand, sometimes there wasn’t enough revenue raised from this approach to clean up the remaining dirty section, so they would have been better off keeping the site together as one parcel and selling it all together.

Commissioner Alcaraz added that deed restrictions put sites by DTSC can keep sites from being rezoned for residential purposes and their full reuse potential.

Mr. Seithel continued that he has talked with the Center for Creative Land Recycling about applying for the next round of EPA grants and this was identified as a priority at the Board of Supervisors retreat in January. He has asked for grant writing support. They have 10 major employment centers that need to be assessed.

Another issue that Mr. Seithel addressed was the job/housing ratio that exists in the Initiative area, and how this plays into decisions about how to reuse brownfields. Within the Initiative area the job/housing ration is 0.85, and in most General Plans the goal is to have a job/housing ratio of 1.5. So they need more jobs, not more housing. They are looking to attract high-wage jobs with a 2 – 10 job multiplier.

He said he will be going to the Ad Hoc committee on Sustainability (Glover/Burgis) to request funding to conduct a brownfield assessment grant along with a request to conduct a number of other assessments. The date for that meeting hasn’t been set yet.

Commissioner Glueck asked if there has been interest from businesses or industry to develop sites in the Initiative area. Mr. Seithel said there has been, and they are trying to pinpoint their competitive advantages. For example, they are conducting a tour next week for a group from France looking for development sites and have done tours for groups from other countries as well.

The committee then talked about how brownfield redevelopment could help achieve overall community goals. Rita Xavier suggested that increased jobs in the area would help support a better public transportation system. Mr. Seithel observed that people living south of Highway 4 in Antioch are more likely to commute, and as a result fewer people are in the neighborhoods during the day, leading to higher rates of mischief crime.

Mr. Seithel then updated the group on the status of the 8 policy white papers that have been written for the initiative. He said they have done a lot of outreach on those initially, and are now doing more outreach to the business community. They haven’t done much with the marketing paper yet. They are putting together a framework for a strategic plan that should be done by the end of the year.
In retrospect, having East Bay Leadership Council taskforces run several of the interest areas may not have help access for the community engagement process. But what they heard from the process through the Quality of Life committee meetings and other community meetings was that people wanted livable wage jobs, non-polluting businesses, and the opportunity to get to work and elsewhere without having to use their cars.

Commissioner Glueck asked what the cities have said about supporting the goals of the Initiative and providing the necessary infrastructure to support industrial development. Mr. Seithel said all six cities have passed resolutions supporting the Initiative and still support the Initiative. He said what they really need to know now is more about the specific infrastructure needs of specific sites.

The Committee then asked about what the County is thinking about in terms of addressing the housing crisis. Mr. Seithel said that the Board of Supervisors got a report in December that looked at the Urban Limit Line (ULL) to see if it is still appropriate. Part of the study was a GIS analysis of the Jobs/Housing balance. The Conclusion of the study was that the ULL is probably still in the right place. Employment Centers tend to be in Priority Development Areas in Contra Costa County.

The committee expressed their desire to Mr. Seithel to see the brownfield assessment contain some type of prioritization of sites based on focusing development of sites most suited to industrial use, and some examination of possible alternative uses for the least desirable sites for development that meet other community benefit goals such as open space or housing.

Mr. Seithel said he would appreciate a letter of support from the Commission for a brownfield assessment study.

Commissioner Glueck made a motion, seconded by Commissioner Alcaraz that the Commission write a letter to the Board of Supervisors recommending that the County do an assessment of the appropriate prioritization and use of brownfields in the Northern Waterfront Economic Development Initiative area. The motion passed 4 – 0.

6) Reports from Commissioners on Matters of Commission Interest:

The committee reviewed a draft of a pipeline emergency planning brochure being developed by the Public Works Department in response to a request by the Commission, and provided several editorial comments.

7) Adjournment: The meeting was adjourned at 12:00